

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

UNITED STATES OF AMERICA,

Plaintiff;

v.

Criminal Action
3:14CR12

ROBERT F. McDONNELL and
MAUREEN G. McDONNELL.

Defendants.

July 28, 2014
Richmond, Virginia
10:00 a.m.

JURY TRIAL - VOLUME I

BEFORE: HONORABLE JAMES R. SPENCER
United States District Judge

APPEARANCES: MICHAEL S. DRY, ESQ.
DAVID V. HARBACH, II, ESQ.
JESSICA D. ABER, ESQ.
RYAN S. FAULCONER, ESQ.
Counsel for Government

JOHN L. BROWNLEE, ESQ.
HENRY W. ASBILL, ESQ.
JAMES M. BURNHAM, ESQ.
DANIEL I. SMALL, ESQ.
CHRISTOPHER M. IAQUINTO, ESQ.

WILLIAM A. BURCK, ESQ.
HEATHER H. MARTIN, ESQ.
STEPHEN M. HAUSS, ESQ.
Counsel for Maureen G. McDonnell.

JEFFREY B. KULL
OFFICIAL COURT REPORTER

1 P-R-O-C-E-E-D-I-N-G-S
2
3 THE CLERK: Case Number 3:14CR12: United States
4 of America versus Robert F. McDonnell and Maureen G.
5 McDonnell. The United States is represented by Michael
6 Dry, David Harbach, Jessica Aber, and Ryan Faulconer.
7 Robert F. McDonnell is represented by John Brownlee, Henry
8 Asbill, James Burnham, Daniel Small, and Christopher
9 Iaquinto. Maureen G. McDonnell is represented by Heather
10 Martin, William Burck, and Stephen Hauss. Are counsel
11 ready to proceed?

12 MR. DRY: The United States is ready.

13 MR. BROWNLEE: Mr. McDonnell is ready to
14 proceed.

15 MR. BURCK: Ms. McDonnell is ready to proceed.

16 THE COURT: All right. All right, Madam Clerk,
17 would you call the roll, please?

18 THE CLERK: Jurors, as I call your name, please
19 stand, answer present, and then be seated.

20 Juror Number 0392, ***.

21 Present.

22 Juror Number 0066, ***.

23 Present.

24 Juror Number 0455, ***.

25 Present.

Juror Number 0129, ***.

1	Present.
2	Juror Number 0205, ***.
3	Present.
4	Juror Number 0272, ***.
5	Present.
6	Juror Number 0072, ***.
7	Present.
8	Juror Number 0485, ***.
9	Present.
10	Juror Number 0117, ***.
11	Present.
12	Juror Number 0362, ***.
13	Present.
14	Juror Number 0209, ***.
15	Present.
16	Juror Number 0008, ***.
17	Present.
18	Juror Number 0382, ***.
19	Present.
20	Juror Number 0279, ***.
21	Present.
22	Juror Number 0364, ***.
23	Present.
24	Juror Number 0108, ***.
25	Present.

1	Juror Number 0367, ***.
2	Present.
3	Juror Number 0388, ***.
4	Present.
5	Juror Number 0088, ***.
6	Present.
7	Juror Number 0327, ***.
8	Present.
9	Juror Number 0243, ***.
10	Present.
11	Juror Number 0161, ***.
12	Present.
13	Juror Number 0401, ***.
14	Present.
15	Juror Number 0218, ***.
16	Present.
17	Juror Number 0016, ***.
18	Present.
19	Juror Number 0099, ***.
20	Present.
21	Juror Number 0340, ***.
22	Present.
23	Juror Number 0431, ***.
24	Present.
25	Juror Number 0317, ***.

1	Present.
2	Juror Number 0044, ***.
3	Present.
4	Juror Number 0101, ***.
5	Present.
6	Juror Number 0373, ***.
7	Present.
8	Juror Number 0073. ***.
9	Present.
10	Juror Number 0141, ***.
11	Present.
12	Juror Number 0284, ***.
13	Present.
14	Juror Number 0450, ***.
15	Present.
16	Juror Number 0160, ***.
17	Present.
18	Juror Number 0336, ***.
19	Present.
20	Juror Number 0114, ***.
21	Present.
22	Juror Number 0356, ***.
23	Present.
24	Juror Number 0203, ***.
25	Present.

1	Juror Number 0368, ***.
2	Present.
3	Juror Number 0496, ***.
4	Present.
5	Juror Number 0381, ***.
6	Present.
7	Juror Number 0250, ***.
8	Present.
9	Juror Number 0186, ***.
10	Present.
11	Juror Number 0349, ***.
12	Present.
13	Juror Number 0115, ***.
14	Present.
15	Juror Number 0333, ***.
16	Present.
17	Juror Number 0432, ***.
18	Present.
19	Juror Number 0109, ***.
20	Present.
21	Juror Number 0290, ***.
22	Present.
23	Juror Number 0181, ***.
24	Present.
25	Juror Number 0399, ***.

1	Present.
2	Juror Number 0107, ***.
3	Present.
4	Juror Number 0010, ***.
5	Present.
6	Juror Number 0256, ***.
7	Present.
8	Jury number 0184, ***.
9	Present.
10	Juror Number 0026, ***.
11	Present.
12	Juror Number 0187, ***.
13	Present.
14	Juror Number 0348, ***.
15	Present.
16	Juror Number 0386, ***.
17	Present.
18	Juror Number 0273, ***.
19	Present.
20	Juror Number 0478, ***.
21	Present.
22	Juror Number 0150, ***.
23	Present.
24	Juror Number 0248, ***.
25	Present.

1	Juror Number 0406, ***.
2	Present.
3	Juror Number 0227, ***.
4	Present.
5	Juror Number 0337, ***.
6	Present.
7	Juror Number 0410, ***.
8	Present.
9	Juror Number 0407, ***.
10	Present.
11	Juror Number 0303, ***.
12	Present.
13	Juror Number 0358, ***.
14	Present.
15	Juror Number 0398, ***.
16	Present.
17	Juror Number 0151, ***.
18	Present.
19	Juror Number 0034, ***.
20	Present.
21	Juror Number 0355, ***.
22	Present.
23	Juror Number 0326, ***.
24	Present.
25	Juror Number 0112, ***.

1	Present.
2	Juror Number 0065, ***.
3	Present.
4	Juror Number 0173, ***.
5	Present.
6	Juror Number 0012, ***.
7	Present.
8	Juror Number 0379, ***.
9	Present.
10	Juror Number 0269, ***.
11	Present.
12	Juror Number 0068, ***.
13	Present.
14	Juror Number 0500, ***.
15	Present.
16	Juror Number 0212, ***.
17	Present.
18	Juror Number 0156, ***.
19	Present.
20	Juror Number 0421, ***.
21	Present.
22	Juror Number 0338, ***.
23	Present.
24	Juror Number 0059, ***.
25	Present.

1	Juror Number 0111, ***.
2	Present.
3	Juror Number 0464, ***.
4	Present.
5	Juror Number 0050, ***.
6	Present.
7	Juror Number 0204, ***.
8	Present.
9	Juror Number 0162, ***.
10	Present.
11	Juror Number 0217, ***.
12	Present.
13	Juror Number 0385, ***.
14	Present.
15	Juror Number 0501, ***.
16	Present.
17	Juror Number 0005, ***.
18	Present.
19	Juror Number 0238, ***.
20	Present.
21	Juror Number 0200, ***.
22	Present.
23	Juror Number 0220, ***.
24	Present.
25	Juror Number 0341, ***.

1 Present.

2 Juror Number 0466, ***.

3 Present.

4 Juror Number 0332, ***.

5 Present.

6 Juror Number 0095, ***.

7 Present.

8 Juror Number 0124, ***.

9 Present.

10 Juror Number 0210, ***.

11 Present.

12 Juror Number 0487, ***.

13 Present.

14 Juror Number 0433, ***.

15 Present.

16 Juror Number 0179, ***.

17 Present.

18 Juror Number 0445, ***.

19 Present.

20 Juror Number 0003, ***.

21 Present.

22 Juror Number 0453, ***.

23 Present.

24 Juror Number 0390, ***.

25 Present.

1	Juror Number 0281, ***.
2	Present.
3	Juror Number 0185, ***.
4	Present.
5	Juror Number 0452, ***.
6	Present.
7	Juror Number 0363, ***.
8	Present.
9	Juror Number 0308, ***.
10	Present.
11	Juror Number 0039, ***.
12	Present.
13	Juror Number 0049, ***.
14	Present.
15	Juror Number 0229, ***.
16	Present.
17	Juror Number 0361, ***.
18	Present.
19	Juror Number 0048, ***.
20	Present.
21	Juror Number 0414, ***.
22	Present.
23	Juror Number 0411, ***.
24	Present.
25	Juror Number 0232, ***.

1 Present.
2 Juror Number 0278, ***.
3 Present.
4 Juror Number 0067, ***.
5 Present.
6 Juror Number 0154, ***.
7 Present.
8 Juror Number 0324, ***.
9 Present.
10 Juror Number 0196, ***.
11 Present.
12 Juror Number 0102, ***.
13 Present.
14 Juror Number 0268, ***.
15 Present.
16 Juror Number 0462, ***.
17 Present.
18 Juror Number 0277, ***.
19 Present.
20 Juror Number 0494, ***.
21 Present.
22 Juror Number 0447, ***.
23 Present.
24 Juror Number 0190, ***.
25 Present.

1 Juror Number 0389, ***.

2 Present.

5 Would the jurors please stand, raise your right
6 hand, and respond to the oath by saying, "I will." Will
7 the defendants please stand.

8 (Venire Sworn.)

13 Let me preface my preview of the case by stating
14 what should be obvious, but what is many times not fully
15 understood by citizens such as yourselves. The jury is a
16 vital and indispensable institution to the administration
17 of justice here in America. Indeed, the founders of this
18 country thought that the right of a person accused of a
19 crime to be tried by a jury representing average folk from
20 the community that appears was so important that they
21 provided for it in the Constitution. And in a very real
22 sense, your presence here today and your participation in
23 this jury selection process is part of a long and honored
24 tradition involving hundreds of thousands of Americans
25 over the years.

1 Now, we who have made our careers and crafted
2 our livelihoods and dedicated ourselves to service in the
3 courtrooms of this nation have long since come to realize
4 that along with the benefits of citizenship and liberty
5 come burdens and responsibilities. I say this at the
6 outset because we want you to know we understand that jury
7 selection can sometimes be tedious and that jury service
8 can disrupt your daily lives. This case in all likelihood
9 will last for several weeks. I certainly will do my best
10 to see that the case moves expeditiously and efficiently
11 towards a final resolution.

12 With the exception of service in the Armed
13 Forces and voting, there is no other duty of citizenship
14 more important than jury service. And that's why when we
15 need you, we insist on your involvement.

16 Now, as I told you earlier, this is a criminal
17 case. A grand jury has indicted Mr. McDonnell charging
18 him with one count of conspiracy to commit honest services
19 fraud, three counts of use of interstate wires to further
20 a scheme of honest services fraud, one count of conspiracy
21 to obtain property under color of official right, six
22 counts of obtaining property under color of official
23 right, and two counts of making a false statement to a
24 financial institution.

25 A grand jury has indicted Ms. McDonnell charging

1 her with one count of conspiracy to commit honest services
2 fraud, three counts of use of interstate wires to further
3 a scheme of honest services fraud, one count of conspiracy
4 to obtain property under color of official right, six
5 counts of obtaining property under color of official
6 right, one count of making a false statement to a
7 financial institution, and one count of obstruction of an
8 official proceeding, to wit: a grand jury investigation.

9 Mr. McDonnell and Ms. McDonnell have pled not
10 guilty to each of these charges. In every criminal case,
11 it is the government, the United States, that has the
12 burden of proving the defendant's guilt beyond a
13 reasonable doubt. And this burden applies to each and
14 every charge brought against the defendants.

15 Indeed, the defendants are presumed innocent of
16 the charges. This presumption remains with them unless
17 and until the government proves his or her guilt beyond a
18 reasonable doubt. This is a standard that I will explain
19 to you in greater detail later.

20 Mr. McDonnell is represented by Mr. Henry Asbill
21 and his associates of the Washington, D.C. office of the
22 law firm of Jones Day. Also representing Mr. McDonnell is
23 Mr. John L. Brownlee of the Washington, D.C. office of the
24 law firm of Holland & Knight.

25 Mr. Asbill, would you please stand and introduce

1 yourself to the jury venire and introduce the other folk
2 from your firm?

3 MR. ASBILL: Thank you, Your Honor. My name is
4 Henry Asbill. With me today are my colleagues, James
5 Burnham, Victoria Tarakchian. I think that's it for
6 today.

7 THE COURT: All right. Mr. Brownlee, would you
8 do the same, introduce yourself and associates from your
9 firm, as well as your client?

10 MR. BROWNLEE: Thank you, Your Honor. Good
11 morning, ladies and gentlemen. My name is John Brownlee.
12 It is an honor for me to be here today to represent Bob
13 McDonnell. With me today, my law partner Dan Small,
14 associates Chris Iaquinto and Elizabeth Jochum. Thank you
15 very much. Thank you, Your Honor.

16 THE COURT: Just have your clients stand up.
17 Introduce your client as well.

18 MR. BROWNLEE: This is Robert McDonnell.

19 THE COURT: All right.

20 MR. BROWNLEE: Thank you, Judge.

21 THE COURT: And Ms. McDonnell is represented by
22 Mr. William Burck of the law firm of Quinn Emanuel
23 Urquhart & Sullivan. Mr. Burck, would you stand and
24 introduce yourself as well as the other folk at your table
25 and your client?

1 MR. BURCK: Yes, Your Honor, thank you very
2 much. Good morning. My name is Bill Burck. I'm with
3 Quinn Emanuel. I represent Ms. McDonnell. With me is my
4 law partner, Stephen Hauss, and associate, Heather Martin.
5 Thank you, Your Honor.

10 MR. DRY: Good morning, ladies and gentlemen.
11 My name is Mike Dry. I'm with the U.S. Attorney's Office
12 in Richmond. With me is Dave Harbach, one of my fellow
13 prosecutors, Jessica Aber, U.S. Attorney's Office in
14 Richmond, Ryan Faulconer with the U.S. Attorney's Office,
15 Agent Tyler Kennedy, paralegals Laura Taylor and Bennett
16 Starnes.

22 Now, I'm going to frame these questions so that
23 normally, ordinarily, the response that we would expect is
24 no. And if your response is no, you don't have to do
25 anything. You remain seated and remain silent and your

1 lack of movement and lack of noise will indicate the
2 response no. If, however, your answer is anything other
3 than no: yes, maybe, it is possible, it might be, any
4 answer that comes to mind other than no, we want you to
5 stand up, and then give us your name. And after that,
6 give us your response to the question.

7 Now, we don't want you to hesitate, we don't
8 want you to be shy or intimidated by the occasion or the
9 setting. It is important that you answer these questions
10 openly and honestly. This is the only way that we can be
11 certain that at the end of the process, we will have a
12 jury that can be fair and impartial as it relates to all
13 of the parties in this case.

14 Now, some of these questions will duplicate
15 questions you answered on the questionnaire that you
16 received earlier. And the reason for that is, we need a
17 current answer to some of those questions. And secondly,
18 we may need to question you more closely regarding
19 responses to those questions.

20 Now, the first question I have: Are any of you
21 related by blood or marriage or know in any way
22 Mr. McDonnell's counsel, and I hope I have this right,
23 Mr. Henry Asbill, Mr. James Burnham, and Ms. Hilary
24 Perkins; am I missing anybody?

25 MR. ASBILL: She is not in court today, Judge.

1 THE COURT: All right. So I called everybody
2 who is here.

3 MR. ASBILL: Yes, sir.

4 THE COURT: All right. Then Mr. John Brownlee,
5 Daniel Small, and Christopher Iaquinto. All right,
6 anybody related to them, know them in any way?

7 Are any of you related by blood or marriage or
8 know in any way Ms. McDonnell's lawyers, William Burck,
9 Stephen Hauss, and I think I'm missing one --

10 MR. BURCK: Heather Martin, Your Honor.

11 THE COURT: Heather Martin. Any of you know or
12 are you related to any of these individuals?

13 As far as you know, have you or any member of
14 your family ever been represented by either of these law
15 firms, Jones Day out of D.C. and Holland & Knight, this is
16 their D.C. office. Any of you or any business owned by
17 you, any interest that you had represented by either of
18 these law firms?

19 Have you or any member of your family ever been
20 represented by any of these individual lawyers for
21 Mr. McDonnell or Ms. McDonnell?

22 Are any of you related by blood or marriage to,
23 first of all, Mr. Robert F. McDonnell?

24 Are any of you related by blood or marriage to
25 Ms. Maureen G. McDonnell?

1 Do you or any member of your family know
2 personally, and I'm not talking about by reputation or
3 media representation, any of you or any member of your
4 family know personally first of all Robert F. McDonnell?

5 And then Ms. Maureen McDonnell. Oh, we have a
6 hand. Sir, would you just come to the aisle and come up
7 here? Counsel approach.

8 (At Bench.)

9 THE JUROR: *** (Juror Number 0303).

10 THE COURT: ***. All right, Mr. ***, how is it
11 that you know him?

12 THE JUROR: I do not know Mr. McDonnell
13 personally, but I have met him on a number of occasions as
14 outlined in my questionnaire, at political functions. In
15 addition, some additional information, I did have a chance
16 to encounter him about a month-and-a-half ago at an event
17 in which a friend of mine asked to have a picture taken
18 with him. And I obliged and took the picture and there
19 were some greeting words and a handshake at that time.
20 Those were the only events. It has all been political
21 events that I have ever met Mr. McDonnell.

22 THE COURT: Is there anything about the previous
23 events, and this last event, that would prevent you from
24 being fair to both sides in this matter?

25 THE JUROR: No, sir. But I just thought since

1 that happened since my questionnaire, I wanted to be sure
2 that that was out.

3 THE COURT: All right. Thank you very much.
4 Thank you. You can have a seat.

5 (In Open Court.)

6 Are any of you related by blood or marriage to
7 any of the prosecutors: Michael Dry, Ryan Faulconer,
8 Jessica Aber, and David Harbach?

9 As far as you know, have you or any member of
10 your family ever been represented by any of the
11 prosecutors, the government lawyers?

12 It is possible that some or all of the following
13 individuals may be called as witnesses in this case. I'm
14 going to go through the list, and as you might expect, it
15 is a lengthy list. But I want you to listen to see if
16 there are any names that you recognize, people that you
17 know, because that's the question that I will have for you
18 after I've gone through the list of potential witnesses.

19 Monica Block, Nanette Bolt, Amy Bridge, Patrizio
20 Caturegli, Brenda Chamberlain, Todd Claiborne, John Clore,
21 Matt Conrad, Dan Cook, Phil Cox, Frank Crantz, Jeffrey
22 Creekmore, Jasen Eige, John Faessel, George Floyd, Jerri
23 Fulkerson, Luz Juliana Mery Gomez De Pitts, William
24 Goodwin, Ryan Greer, Special Agent Charles Hagan, Dr.
25 William Hazel, Lisa Hicks-Thomas, Timothy Huff, Molly

Huffstetler, Special Agent David Hulser, Kristen Kaplan,
Janet Kelly, Martin Kent, Jerry Kilgore, Sharon Krueger,
John Lazo, William Long, James Doc Lyons, Mark Sykes,
Tucker Martin, Maureen McDonnell, Rachel McDonnell, Robert
Bobby McDonnell, Sean McDonnell, Phil Owenby, Paul Perito,
John Piscitelli, Frank Pollack, Emily Rabbitt, Sarah
Scarborough, William Sessoms, Robert Skunda, Mary Shea
Sutherland, Barbara Tierney, Michael Uncapher, George
Vetrovec, Alfred Walden, Pamelia Watts, Celeste Williams,
Donnie Williams, Jonnie Williams, Sr., Sara Wilson,
Caitlin McDonnell Young, Christopher Young, Adam Zubowsky,
Jeanine McDonnell Zubowsky.

18 MR. BROWNLEE: Just one second, Your Honor. I
19 believe these names are in an e-mail I forwarded to your
20 law clerk this morning.

21 THE COURT: I just want to make sure. I have a
22 combined defense witness list that I got earlier. I went
23 through that and combined all the names in common. You
24 gave me a new one this morning. I just want to make sure.

25 MR. BROWNLEE: Thank you, Your Honor. If I can,

1 the names are Anthony Troy, William O'Neill, Payton
2 Cromwell, and Laura Fornash.

3 THE COURT: All right, thank you. All right.
4 James Abel, Carolyn Birgmann, Lawrence Blake, Martin
5 Briley, Harvey Bryant, James Burke, James Cheng, Ken
6 Cuccinelli, Joseph Damico, David Dean -- yes?

7 A JUROR: I know Joe Damico.

8 THE COURT: All right, fine. Thank you very
9 much. We will wait until I get through the list and then
10 I'll come back and ask the question.

11 David Dean, Brandon DeGraff, Jeffrey DePriest,
12 Stephen Eisenberg, Robert Farrance, Emmett Flood, Cameron
13 friction, Scott Gagne, Paul Galanti, Paige Hahn, Katherine
14 Harris, Dianne Hayes, Todd Haymore, Ed Howell, William
15 Howell, Dennis Johnson, Tyler Kennedy, Bobbie Kilberg,
16 Marty Kilgore, Terry Kilgore, Allen Kosowsky, Brad
17 Kroenig, Paul Ladenson, Andrew Lamar, Simon Latcovich;
18 William LeFevre, Robert F. McDonnell, James McGlothlin,
19 John McKeon, Robert Merhige, Caresse Mitchell, Deborah
20 Naylor, Christopher Nolen, Neal Noyes, Linda Pierce,
21 Robert Pokusa, Bert Poole, Cynthia Romero, Elaina Schramm,
22 Kathleen Scott, Keith Scott, Timothy Scully, Margaret
23 Shupnick, James Starkey, Ken Stolle, Terrie Suit, Leo
24 Tonkin, Martin Townes, Audrey Trussell, Thalia Tuck, Trish
25 West, Doug Wilder, Marc Wiley, Carolyn Williams, Jonnie

1 Williams, Jr., Jane Wortham, Anthony Troy, William
2 O'Neill, Payton Cromwell, and Laura Fornash.

3 Now, does any member of the jury venire know any
4 of these witnesses, and if so, we will hear from you now.

5 And --

6 THE JUROR: Your Honor, one of the people in
7 that list I have met in similar fashion as we discussed
8 previously.

9 THE COURT: Okay. This is *** (Juror Number
10 0303)?

11 THE JUROR: Yes, sir.

12 THE COURT: Everybody got that? All right,
13 thank you, you can have a seat, Mr. ***. All right, we
14 will start up here in the front and go back. Yes, ma'am?
15 Who is it that you recognize?

16 THE JUROR: Kathleen Scott.

17 THE COURT: Give us your name.

18 THE JUROR: My name is *** (Juror Number 0401).

19 THE COURT: All right. Ms. ***, you indicated
20 it was Ms. Scott that you know, and just tell us generally
21 how is it that you know her.

22 THE JUROR: She lives in my cul-de-sac.

23 THE COURT: Would you say you have a close
24 contact with her, are personal friends?

25 THE JUROR: No. Occasional.

1 THE COURT: All right. Thank you. You may have
2 a seat. Yes, ma'am, your name?

3 THE JUROR: *** (Juror Number 0388).

4 THE COURT: Ms. ***. All right, Ms. ***, who is
5 it that you know?

6 THE JUROR: Tucker Martin.

7 THE COURT: And how is it that you know
8 Mr. Martin?

9 THE JUROR: I don't know him personally, but we
10 went to Randolph-Macon at the same time.

11 THE COURT: All right. Thank you very much.
12 Yes, sir?

13 THE JUROR: I just want to get clarification on
14 that Troy. Is that first name Anthony?

15 THE COURT: Yes, first name Anthony, last name
16 Troy.

17 THE JUROR: No problem. I know somebody the
18 exact reverse.

19 THE COURT: Sir, your name?

20 THE JUROR: *** (Juror Number 0003).

21 THE COURT: Thank you, Mr. ***.

22 THE JUROR: *** (Juror Number 0217). I know Joe
23 Damico. We play on the same soccer team.

24 THE COURT: Okay, just a second. What was the
25 name again?

1 THE JUROR: My name?

2 THE JUROR: No, the name of the witness.

3 THE JUROR: Joe Damico.

4 THE COURT: And is there anything about your
5 relationship or knowledge of Mr. Joe Damico that would
6 prevent you from balancing any testimony he might give?

7 THE JUROR: Not that I can think of.

8 THE COURT: He has never fouled you, has he?

9 THE JUROR: No. He has always been on the same
10 team.

11 THE COURT: Thank you. Yes, ma'am?

12 THE JUROR: As I blurted earlier, *** (Juror
13 Number 0229).

14 THE COURT: You said you know Joe Damico?

15 THE JUROR: Yes, I write documents that he signs
16 sometimes.

17 THE COURT: Why don't you come on up here,
18 Ms. ***. I think this is better. Your full name?

19 THE JUROR: ***.

20 THE COURT: All right.

21 THE JUROR: I'm in the Attorney General's Office
22 and he is in the Department of Real Estate Services and I
23 write documents he signs.

24 THE COURT: And other than the business
25 relationship, anything social?

1 THE JUROR: No.

2 MR. ASBILL: This Joseph Damico is from Chicago.

3 I think both folks who have said they know him are
4 thinking about a different Joe Damico.

5 THE COURT: The odds of having two Joe Damicos?

6 THE JUROR: Is Katherine Scott the lawyer in
7 Richmond?

8 MR. ASBILL: Kathleen Scott. No, sir.

9 THE COURT: All right. Thank you very much.

10 (In Open Court.)

11 Yes, sir your your name?

15 THE COURT: All right. Let me get your name
16 again.

17 THE JUROR: ***.

18 THE COURT: Thank you. Yes, ma'am?

19 THE JUROR: *** (Juror Number 0220). I don't
20 know if it is the same person or not, but I went to high
21 school with a George Vetrovec.

22 THE COURT: All right. Thank you.

23 Has any member of the jury panel ever served as
24 a juror before, criminal case, civil case, grand jury,
25 military courts marshal, state, local, federal court? Any

1 prior jury service, we would like to know about it. All
2 right, we will start right here. Yes, ma'am, your name?

3 THE JUROR: *** (Juror Number 0227).

4 THE COURT: All right, Ms. ***. Just a second.

5 When and where did you serve?

6 THE JUROR: It was about two years ago in the
7 City of Richmond. Traffic.

8 THE COURT: What kind of case?

9 THE JUROR: It was traffic. An accident.

10 THE COURT: Traffic accident, civil case. Okay,
11 fine. Thank you so much.

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1 THE COURT: Yes, ma'am.

2 THE JUROR: Ms. *** (Juror Number 0399).

3 Henrico County.

4 THE COURT: Ms. *** (Juror Number 0399). Just a
5 second. Okay. And when and where did you serve and what
6 kind of case?

7 THE JUROR: Henrico County about maybe two years
8 ago, and criminal.

9 THE COURT: We're having problems hearing you.

10 THE JUROR: I'm sorry.

11 THE COURT: Just a little louder.

12 THE JUROR: Henrico County, about two years ago,
13 and criminal.

14 THE COURT: All right. Yes. All right. Thank
15 you. You can have a seat.

16 Yes, sir.

17 THE JUROR: *** (Juror Number 0185).

18 THE COURT: All right, Mr. *** (Juror Number
19 0185). When and where did you serve?

20 THE JUROR: Chesterfield criminal court about
21 six years ago.

22 THE COURT: All right. Thank you.

23 *** (Juror Number 0003).

24 THE JUROR: Yes. Richmond Circuit Court on two
25 occasions. The first one was approximately about six

1 years ago. That was a criminal case. And the second one
2 was approximately a year and a half ago. That was also a
3 criminal case in Circuit Court City of Richmond, Virginia.

4 THE COURT: All right. Thank you, *** (Juror
5 Number 0003).

6 Yes, sir.

7 THE JUROR: *** (Juror Number 0048).

8 THE COURT: All right, Mr. *** (Juror Number
9 0048). When and where did you serve?

10 THE JUROR: I'm retired from the Marine Corps.
11 I was in 26 years from 1965 to 1991. I served as a
12 summary court officer on a couple of occasions, and I
13 served -- I was on the jury for at least three special
14 court marshals throughout my career and probably one
15 general court martial.

16 THE COURT: All right. Thank you, sir.

17 Yes, ma'am. We'll start here.

18 THE JUROR: *** (Juror Number 0150).

19 THE COURT: All right.

20 THE JUROR: I served in Southampton County,
21 grand jury. It's been about 25 years.

22 THE COURT: Thank you.

23 Yes, sir.

24 THE JUROR: *** (Juror Number 0243).

25 THE COURT: All right. Mr. *** (Juror Number

1 0243).

2 THE JUROR: I served on a 12-month federal grand
3 jury in 2002 or '3.

4 THE COURT: All right. Thank you.

5 Yes, sir.

6 THE JUROR: *** (Juror Number 0068). About five
7 years ago in Annapolis, Maryland.

8 THE COURT: All right. And again I didn't get
9 the last part. When and where did you serve?

10 THE JUROR: About five years ago in Annapolis,
11 Maryland.

12 THE COURT: Annapolis. And what kind of case
13 was it?

14 THE JUROR: Civil.

15 THE COURT: Civil case. All right. Thank you.

16 Yes, sir.

17 THE JUROR: *** (Juror Number 0349).

18 Chesterfield County about two years ago. It was criminal.

19 THE COURT: All right. Mr. *** (Juror Number
20 0349). Thank you.

21 Yes, sir.

22 THE JUROR: *** (Juror Number 0414).

23 THE COURT: All right, Mr. *** (Juror Number
24 0414).

25 THE JUROR: It was Hanover. It was a criminal

1 case, back in the early '80s. And Henrico on a civil
2 case. That was probably in the '90s.

3 THE COURT: All right. Thank you.

4 Yes, sir.

5 THE JUROR: *** (Juror Number 0356).

6 THE COURT: Last name again?

7 THE JUROR: *** (Juror Number 0356).

8 THE COURT: Okay.

9 THE JUROR: Two criminal cases, Nottoway County.
10 One about 14 years ago. One a couple years ago.

11 THE COURT: All right. Thank you, sir.

12 All right. Yes, sir. Yes.

13 THE JUROR: *** (Juror Number 0210).

14 THE COURT: All right, Mr. *** (Juror Number
15 0210).

16 THE JUROR: I served in Henrico County Grand
17 Jury in the mid-'90s.

18 THE COURT: All right. Thank you, *** (Juror
19 Number 0210).

20 Yes, sir.

21 THE JUROR: *** (Juror Number 0466). P.

22 THE COURT: All right. Go ahead.

23 THE JUROR: About 30 years ago, criminal case in
24 Pittsburgh.

25 THE COURT: Criminal or civil?

1 THE JUROR: Criminal.

2 THE COURT: Criminal. Thank you.

3 Yes, sir.

4 THE JUROR: *** (Juror Number 0187).

5 THE COURT: I didn't hear the name.

6 THE JUROR: *** (Juror Number 0187).

7 THE COURT: *** (Juror Number 0187). All right.

8 THE JUROR: District court in the mid-'80s,
9 criminal case.

10 THE COURT: All right. Thank you.

11 Yes, ma'am.

12 THE JUROR: *** (Juror Number 0065).

13 THE COURT: All right, Ms. *** (Juror Number
14 0065).

15 THE JUROR: Criminal case, 2010, City of
16 Richmond.

17 THE COURT: Thank you.

18 All right. Let's start, yes, sir, right here.
19 Blue suit.

20 THE JUROR: Okay. *** (Juror Number 0124).

21 THE COURT: All right Mr. *** (Juror Number
22 0124).

23 THE JUROR: Criminal case about six years ago in
24 the city of Hopewell.

25 THE COURT: I didn't hear the last part.

1 THE JUROR: Criminal case in the city of
2 Hopewell.

3 THE COURT: Hopewell.

4 THE JUROR: Yes, sir. About six years ago.

5 THE COURT: All right. Thank you.

6 THE JUROR: You're welcome.

7 THE COURT: Yes, sir. Right -- I'll hear --

8 THE JUROR: *** (Juror Number 0141).

9 THE COURT: All right, Mr. *** (Juror Number
10 0141).

11 THE JUROR: Henrico criminal about 15 years ago.

12 THE COURT: All right. Thank you.

13 Yes, sir.

14 THE JUROR: *** (Juror Number 0406). Three
15 civil cases in Norfolk 30 years ago plus, and then two
16 civil cases in Henrico in the last five years.

17 THE COURT: All right. Thank you.

18 Yes, ma'am.

19 THE JUROR: *** (Juror Number 0109). Civil,
20 about ten years ago.

21 THE COURT: And where was that?

22 THE JUROR: In Richmond.

23 THE COURT: In Richmond. Thank you, Ms. ***
24 (Juror Number 0109).

25 THE JUROR: Okay.

1 THE COURT: Yes, ma'am.

2 THE JUROR: *** (Juror Number 0162).

3 THE COURT: All right. Ms. *** (Juror Number
4 0162).

5 THE JUROR: Criminal case, City of Richmond, and
6 it's been at least 30 years, Your Honor.

7 THE COURT: All right. Thank you, Ms. ***
8 (Juror Number 0162).

9 Yes, sir, right here.

10 THE JUROR: *** (Juror Number 0088).

11 THE COURT: All right.

12 THE JUROR: Hanover County, civil.

13 THE COURT: And how long ago was it?

14 THE JUROR: About 13 years.

15 THE COURT: All right.

16 Yes, sir. Right here.

17 THE JUROR: *** (Juror Number 0333).

18 THE COURT: All right.

19 THE JUROR: Criminal case, City of Richmond
20 about three or four years ago.

21 THE COURT: All right. Thank you, sir.

22 Yes, sir.

23 THE JUROR: *** (Juror Number 0099). Excuse me.

24 *** (Juror Number 0099).

25 THE COURT: Okay.

1 THE JUROR: 1990. Albuquerque, New Mexico,
2 criminal case.

3 THE COURT: All right. Thank you, sir.

4 All right. Yes, ma'am.

5 THE JUROR: *** (Juror Number 0382).

6 THE COURT: Okay.

7 THE JUROR: King George County, it was a civil
8 case, about five or six years ago.

9 THE COURT: All right. Thank you.

10 Yes, ma'am.

11 THE JUROR: *** (Juror Number 0238). In the
12 mid-1980s, City of Richmond, criminal.

13 THE COURT: All right, Ms. *** (Juror Number
14 0238). Thank you.

15 Yes, ma'am.

16 THE JUROR: *** (Juror Number 0272).

17 THE COURT: All right.

18 THE JUROR: Grand jury. I believe it was 2008
19 and 2011, Charlottesville.

20 THE COURT: All right. Thank you.

21 Yes, ma'am.

22 THE JUROR: *** (Juror Number 0256). City of
23 Richmond, about ten years ago. It was criminal.

24 THE COURT: All right. Ms. *** (Juror Number
25 0256). Thank you.

1 Yes, sir.

2 THE JUROR: *** (Juror Number 0336). With a C.
3 New Kent County Circuit Court, 2010, criminal case.

4 THE COURT: All right. Thank you.

5 Yes, sir.

6 THE JUROR: *** (Juror Number 0181).

7 THE COURT: All right. Mr. *** (Juror Number
8 0181).

9 THE JUROR: Henrico County, civil court, over 30
10 years ago.

11 THE COURT: All right. Thank you, sir.

12 Have you or any member of your family ever been
13 employed by a law enforcement agency? And when I say "law
14 enforcement agency," I mean the local police, sheriff's
15 department, FBI, state police, military police,
16 corrections, any kind of law enforcement agency, you or
17 any member of your family?

18 Start back up here in the front. Your name
19 again, ma'am.

20 THE JUROR: *** (Juror Number 0227).

21 THE COURT: All right. All right, Ms. ***
22 (Juror Number 0227). And your answer?

23 THE JUROR: My brother is a retired FBI agent.

24 THE COURT: And do you have an approximate time
25 frame your brother retired?

1 THE JUROR: Two years ago.

2 THE COURT: Two years ago. All right. Thank
3 you, ma'am.

4 Yes, ma'am.

5 THE JUROR: *** (Juror Number 0039). My father
6 was a policeman, City of Richmond, years ago, way back in
7 like the '50s.

8 THE COURT: All right.

9 THE JUROR: And I had an uncle that was also a
10 Richmond police officer back at that time.

11 THE COURT: Okay. All right. Thank you, ma'am.

12 Yes, sir.

13 THE JUROR: *** (Juror Number 0108).

14 THE COURT: Last name again? I missed it.

15 THE JUROR: *** (Juror Number 0108).

16 THE COURT: All right. Go ahead.

17 THE JUROR: My uncle, Walter Richard Brett, is a
18 state trooper and also justice of the peace in Ashland,
19 Virginia.

20 THE COURT: All right. Thank you.

21 *** (Juror Number 0003).

22 THE JUROR: Yes. My first cousin, he was --
23 what do you call them guys in the military, M --

24 THE JUROR: Ps?

25 THE JUROR: MPs, yeah. He was head of military

1 police at the Norfolk Air Base.

2 THE COURT: Okay.

3 THE JUROR: And he's currently retired.

4 THE COURT: All right. Thank you, Mr. ***

5 (Juror Number 0003).

6 Yes, ma'am.

7 THE JUROR: My name is *** (Juror Number 0095).

8 And my father was a physician at the Southampton
9 Correctional Center. He's deceased, but he retired about
10 20 years ago as well.

11 THE COURT: All right, Ms. *** (Juror Number
12 0095).

13 We'll start over to the right. Yes, ma'am.

14 THE JUROR: *** (Juror Number 0501). My father
15 served as chief of police in Augsburg, Germany, and was in
16 the military for over 50 years and is now deceased.

17 THE COURT: All right. Thank you.

18 Yes, ma'am.

19 THE JUROR: *** (Juror Number 0433). My
20 brother, Terrance Sanders, sheriff for Henrico County, two
21 and a half years.

22 THE COURT: All right, Ms. *** (Juror Number
23 0433).

24 Yes, sir.

25 THE JUROR: My name is *** (Juror Number 0115).

1 My father was part of the Washington, D.C., Metropolitan
2 Police Department I want to say early '80s to at least
3 late '90s.

4 THE COURT: I missed your last name.

5 THE JUROR: *** (Juror Number 0115).

6 THE COURT: *** (Juror Number 0115). All right.
7 Thank you Mr. *** (Juror Number 0115).

8 Yes, sir.

9 THE JUROR: *** (Juror Number 0048).

10 THE COURT: All right, Mr. *** (Juror Number
11 0048).

12 THE JUROR: I worked for 17 years at the
13 Rappahannock Regional Criminal Justice Academy in
14 Fredericksburg. I was instructor coordinator, and the
15 last six years I was assistant director. I retired about
16 three years ago.

17 THE COURT: All right. Thank you.

18 Yes, sir.

19 THE JUROR: *** (Juror Number 0016). C-A-S.

20 THE COURT: Okay, Mr. *** (Juror Number 0278).

21 THE JUROR: My father, he was employed by the
22 Department of Corrections, Deep Meadow.

23 THE COURT: Is this in the past or current?

24 THE JUROR: In the past. I think it was five to
25 seven years ago.

1 THE COURT: All right, thank you. That's 0278,
2 Mr. *** (Juror Number 0278).

3 THE JUROR: Oh, no, it's not. That's not me.
4 It's *** (Juror Number 0016). C-A-S.

5 THE COURT: Oh, I misunderstood you. *** (Juror
6 Number 0016).

7 THE JUROR: Yes.

8 THE COURT: 0016.

9 THE JUROR: Yes.

10 THE COURT: Thank you, sir.

11 All right. Yes, ma'am.

12 THE JUROR: *** (Juror Number 0150).

13 THE COURT: All right, Ms. *** (Juror Number
14 0150).

15 THE JUROR: My husband retired from Portsmouth
16 police service, 1995.

17 THE COURT: All right. Thank you very much.

18 Yes, ma'am.

19 THE JUROR: *** (Juror Number 0112). My
20 daughter work for the Richmond City Jail.

21 THE COURT: Say that again. I didn't hear
22 the --

23 THE JUROR: My daughter work for the Richmond
24 City Department.

25 THE COURT: Daughter. All right. Thank you

1 very much.

2 Yes, ma'am.

3 THE JUROR: *** (Juror Number 0212). My husband
4 is a police officer at Virginia State University.

5 THE COURT: All right. Thank you.

6 Yes, sir.

7 THE JUROR: *** (Juror Number 0204).

8 THE COURT: *** (Juror Number 0204).

9 THE JUROR: *** (Juror Number 0204). Yes, sir.

10 THE COURT: All right.

11 THE JUROR: My father was retired from the
12 Federal Bureau of Prisons.

13 THE COURT: All right, Mr. *** (Juror Number
14 0204). Thank you.

15 Yes, sir.

16 THE JUROR: *** (Juror Number 0151). My wife
17 worked at the Department of Corrections for about 20 years
18 in Pennsylvania.

19 THE COURT: All right. Thank you, Mr. ***
20 (Juror Number 0151).

21 Yes, ma'am.

22 THE JUROR: *** (Juror Number 0209). My
23 step-father was a justice of the peace. Does that count?

24 THE COURT: All right. Thank you.

25 All right. We'll start over here.

1 THE JUROR: *** (Juror Number 0398). My father
2 told me that he was an MP for a short time during Vietnam.
3 He is now deceased.

4 THE COURT: Thank you. All right. Thank you,
5 Mr. *** (Juror Number 0398).

6 Yes, sir.

7 THE JUROR: *** (Juror Number 0389). My wife,
8 security forces up until four years ago.

9 THE COURT: All right. Thank you.

10 Yes, sir.

11 THE JUROR: *** (Juror Number 0308).

12 THE COURT: Okay.

13 THE JUROR: Uncle, Woodrow P., a police for
14 Plainfield, New Jersey, retired six years ago. And also I
15 have a -- currently a lease and that is doing an
16 internship for Suffolk County Sheriff Department in Long
17 Island, New York.

18 THE COURT: All right. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0229). Husband
21 was Louisiana state trooper, and cousin was a Virginia
22 state trooper.

23 THE COURT: All right. Thank you.

24 Yes, ma'am. We'll just --

25 THE JUROR: My son-in-law currently works for

1 the Hanover County Sheriff's Department. My name is ***
2 (Juror Number 0186).

3 THE COURT: And give me your answer again.

4 THE JUROR: My son-in-law currently works for
5 the Hanover Sheriff's Department.

6 THE COURT: All right. Thank you very much.

7 Yes, sir.

8 THE JUROR: *** (Juror Number 0478).

9 THE COURT: Last name again.

10 THE JUROR: *** (Juror Number 0478).

11 THE COURT: All right, Mr. *** (Juror Number
12 0478).

13 THE JUROR: My father is a former state police
14 officer and currently serving on the -- I think he's
15 listed as special agent for the state of Virginia.

16 THE COURT: All right.

17 THE JUROR: And my uncle is a county officer for
18 Prince George County, and my other uncle is a retired
19 state police officer from state of Virginia.

20 THE COURT: All right. Thank you, sir.

21 Yes, sir.

22 THE JUROR: *** (Juror Number 0348). Formerly
23 employed by Prince George Police Department for 30 years.

24 THE COURT: All right. Thank you, Mr. ***
25 (Juror Number 0348).

1 All right. Yes, ma'am, in the white.

2 THE JUROR: *** (Juror Number 0452). And my
3 husband was a former Henrico police officer, left in 1990.

4 THE COURT: All right. Thank you.

5 Yes, sir.

6 THE JUROR: *** (Juror Number 0469). I worked
7 as a corrections officer at Coffeewood about eight years
8 ago.

9 THE COURT: Thank you.

10 Yes, ma'am. Right here. Yes.

11 THE JUROR: *** (Juror Number 0453). I have a
12 son --

13 THE COURT: I missed the last name.

14 THE JUROR: *** (Juror Number 0453).

15 THE COURT: *** (Juror Number 0453). Okay.

16 THE JUROR: I have a son that's currently in the
17 United States Army at Fort Wainwright in Alaska, and he's
18 an MP.

19 THE COURT: All right. Thank you, Ms. ***
20 (Juror Number 0453).

21 Yes, sir.

22 THE JUROR: *** (Juror Number 0248).

23 THE COURT: All right.

24 THE JUROR: Ex-son-in-law with Chesterfield
25 County, deceased, about five years ago.

1 THE COURT: Thank you.

2 THE JUROR: Thank you.

3 THE COURT: Yes, ma'am.

4 THE JUROR: *** (Juror Number 0154). My brother
5 is a retired Baltimore police officer and fraud
6 investigator for a missioner's company, and my husband's
7 cousin is currently with the Virginia Department of
8 Corrections.

9 THE COURT: All right. Thank you.

10 Yes, ma'am.

11 THE JUROR: My name is *** (Juror Number 0494).
12 My husband and I currently hold the contract with the
13 Bureau of Prisons. We teach at the federal correctional
14 facility at Petersburg.

15 THE COURT: Okay. Thank you very much.

16 Yes.

17 THE JUROR: *** (Juror Number 0431). And my son
18 is a lieutenant with the Department of Corrections in
19 Lawrenceville, Virginia.

20 THE COURT: Thank you.

21 Okay. Start in this line over here. Yes.

22 THE JUROR: *** (Juror Number 0363).

23 THE COURT: I can't hear you.

24 THE JUROR: Last name is *** (Juror Number
25 0363).

1 THE COURT: All right.

2 THE JUROR: And my husband is a U.S. Navy,
3 retired in 2009. While he was in the Navy, he served as a
4 Navy police and government police.

5 THE COURT: All right. Thank you.

6 Yes.

7 THE JUROR: My name is *** (Juror Number 0250).
8 I have a cousin who currently works for Richmond City.
9 She's a police officer.

10 THE COURT: *** (Juror Number 0250). I got the
11 first name. What was the last name?

12 THE JUROR: *** (Juror Number 0250).

13 THE COURT: All right. Okay. Go ahead.

14 THE JUROR: I have a cousin who's currently a
15 police officer for the City of Richmond.

16 THE COURT: All right. Thank you.

17 Yes, ma'am.

18 THE JUROR: *** (Juror Number 0272). My
19 father-in-law served as a corrections officer about 25
20 years ago, Southampton County.

21 THE COURT: All right. Thank you.

22 Yes, sir.

23 THE JUROR: My name is *** (Juror Number 0341).
24 It's with a P. And my brother-in-law was a Chesterfield
25 County officer for about seven years before resigning

1 about four years ago.

2 THE COURT: All right. Thank you, sir.

3 All right. Let's start over here.

4 THE JUROR: My name is *** (Juror Number 0277).

5 I'm a former employee for the Powhatan Corrections in
6 Powhatan, Virginia. And I have a brother that works out
7 at Buckingham Corrections, and he's currently still
8 serving as an officer.

9 THE COURT: All right. Thank you, *** (Juror
10 Number 0277).

11 THE COURT: Yes, ma'am.

12 THE JUROR: *** (Juror Number 0256). My father
13 is a former federal correctional officer, and my brother
14 is currently a correctional officer at Bon Air Juvenile
15 Detention Center.

16 THE COURT: Thank you.

17 Yes.

18 THE JUROR: Yes. My -- my brother-in-law, he's
19 a police officer for the -- retired police officer for the
20 City of Richmond.

21 THE COURT: What's your name, ma'am?

22 THE JUROR: *** (Juror Number 0407).

23 THE COURT: All right. Ms. *** (Juror Number
24 0407).

25 All right. Yes, ma'am.

1 THE JUROR: My name is *** (Juror Number 0445).
2 My uncle was retired from Henrico County Police Department
3 about 20 years ago. When I was in the Navy, I served two
4 years military police in 1980.

5 THE COURT: All right. Thank you, Ms. ***
6 (Juror Number 0445).

7 Yes, sir.

8 THE JUROR: My name is *** (Juror Number 0273).
9 And my father-in-law served as a military policeman while
10 serving in Vietnam in about 1970.

11 THE COURT: All right. Thank you.

12 Yes, ma'am.

13 THE JUROR: My name is *** (Juror Number 0386).
14 And I have a cousin that's a probation officer in Nottoway
15 County. I have a cousin that's a sheriff in Farmville,
16 Virginia, and I have two sons that work at Lawrenceville
17 Correctional Center.

18 THE COURT: Thank you.

19 All right. Yes, sir.

20 THE JUROR: My name is *** (Juror Number 0464).

21 THE COURT: Say again.

22 THE JUROR: Last name is *** (Juror Number
23 0464).

24 THE COURT: *** (Juror Number 0464). All right,
25 sir.

1 THE JUROR: My father is retired Upper Dublin
2 Township, Pennsylvania, and was a narcotics officer with
3 Montgomery County, Pennsylvania. And then my first cousin
4 is a detective out in Las Vegas and I think in the vice
5 department.

6 THE COURT: All right. Thank you, sir.

7 Yes, sir.

8 THE JUROR: *** (Juror Number 0432).

9 THE COURT: All right, Mr. *** (Juror Number
10 0432).

11 THE JUROR: Department of Corrections. Retired
12 2012.

13 THE COURT: Thank you.

14 Yes, sir.

15 THE JUROR: *** (Juror Number 0107).

16 THE COURT: All right.

17 THE JUROR: My grandfather was a Cleveland
18 police officer, and my cousin was a Nashville police
19 officer. Both deceased.

20 THE COURT: All right. Thank you.

21 Yes, ma'am.

22 THE JUROR: *** (Juror Number 0220). My
23 son-in-law currently serves with Henrico County Police.

24 THE COURT: All right. Thank you.

25 Does any member of the jury panel or close

1 family member have any training, education, expertise or
2 experience in the field of accounting? Accounting? All
3 right.

4 Let's start over here. Yes, ma'am, your name
5 again.

6 THE JUROR: *** (Juror Number 0388).

7 THE COURT: All right, Ms. *** (Juror Number
8 0388). And your answer.

9 THE JUROR: My major was accounting, and I work
10 in the accounting department.

11 THE COURT: All right. Thank you, Ms. ***
12 (Juror Number 0388).

13 Yes, ma'am.

14 THE JUROR: *** (Juror Number 0039). I worked
15 in an accounting office for 40 years.

16 THE COURT: All right, Ms. *** (Juror Number
17 0039). Thank you.

18 Yes, ma'am.

19 THE JUROR: *** (Juror Number 0501). And I
20 served as an accountant at the Medical College of Virginia
21 over 20 years ago in several departments in internal
22 medicine at MCV.

23 THE COURT: All right. Thank you, Ms. ***
24 (Juror Number 0501).

25 Yes, sir.

1 THE JUROR: *** (Juror Number 0196). My father
2 did budgeting and accounting for an NFC department.

3 THE COURT: Thank you.

4 All right. Yes, ma'am.

5 THE JUROR: *** (Juror Number 0392).

6 THE COURT: Ms. *** (Juror Number 0392).

7 THE JUROR: I work in accounts receivable at the
8 company I work for.

9 THE COURT: Thank you.

10 Yes, sir.

11 THE JUROR: *** (Juror Number 0368). My mother
12 actually works for All Citizens in the mortgage department
13 and has past experience, as well, with SunTrust Mortgage.

14 THE COURT: All right. Thank you, Mr. ***
15 (Juror Number 0368).

16 Yes, sir.

17 THE JUROR: My name is *** (Juror Number 0210).

18 THE COURT: All right, Mr. *** (Juror Number
19 0210).

20 THE JUROR: I served on the board of accountants
21 for the state of Virginia for approximately ten years,
22 ending sometime in early 2000.

23 THE COURT: And was that a gubernatorial
24 appointment?

25 THE JUROR: Yes, sir. I was first appointed to

1 that board by Governor Allen and reappointed.

2 THE COURT: All right. Thank you, Mr. ***
3 (Juror Number 0210).

4 All right. Yes, sir. Blue shirt.

5 THE JUROR: My name is *** (Juror Number 0398).

6 THE COURT: Okay, Mr. *** (Juror Number 0398).

7 THE JUROR: I believe you had mentioned
8 education. Part of my bachelor's degree was an accounting
9 class.

10 THE COURT: Okay. Thank you.

11 Yes, sir.

12 THE JUROR: *** (Juror Number 0308).

13 THE COURT: Last name?

14 THE JUROR: *** (Juror Number 0308). Performed
15 cash accounting for a mortgage company.

16 THE COURT: Yes, ma'am.

17 THE JUROR: *** (Juror Number 0186). I used to
18 work for the Capital Region Airport Commission.

19 THE COURT: Yes, sir.

20 THE JUROR: *** (Juror Number 0303). I was with
21 Federal Deposit Insurance Corporation as a bank examiner
22 for about ten years until about 1980.

23 THE COURT: All right.

24 Yes, ma'am.

25 THE JUROR: Hi. I'm *** (Juror Number 0218).

1 I've been in the accounting department in Lake Caroline
2 for 20 years in charge of the accounting department.

3 THE COURT: All right. Thank you.

4 All right. Yes, ma'am.

5 THE JUROR: My name is *** (Juror Number 0362).
6 I worked in -- for the Department of the Navy for
7 accounting for 27 years.

8 THE COURT: All right.

9 Yes, ma'am.

10 THE JUROR: I'm -- my name is *** (Juror Number
11 0421). My father worked for BDO Seidman, accounting.

12 THE COURT: All right. Thank you, ma'am.

13 All right. Yes, sir.

14 THE JUROR: *** (Juror Number 0059).

15 THE COURT: All right.

16 THE JUROR: I completed an accounting course for
17 my bachelor's degree.

18 THE COURT: Okay. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0200).

21 THE COURT: All right, Ms. *** (Juror Number
22 0200).

23 THE JUROR: My mother has 30 years' experience
24 in accounting and bookkeeping, and I have worked in
25 accounting and bookkeeping.

1 THE COURT: Thank you.

2 Yes, ma'am.

3 THE JUROR: *** (Juror Number 0447).

4 THE COURT: Last name again?

5 THE JUROR: *** (Juror Number 0447). Y-E-N.

6 THE COURT: Okay.

7 THE JUROR: My brother is a CPA in Northern
8 Virginia.

9 THE COURT: Thank you.

10 Yes, ma'am.

11 THE JUROR: My name is *** (Juror Number 0154).

12 I took accounting courses in college, and my brother is a
13 CPA in Pennsylvania.

14 THE COURT: All right.

15 Yes, ma'am. We'll start over here.

16 THE JUROR: *** (Juror Number 0250). I have a
17 relative who works in the accounting field in Richmond.

18 THE COURT: I didn't hear one word.

19 THE JUROR: I'm sorry. *** (Juror Number 0250).
20 I have a relative who works in the accounting field here
21 in Richmond.

22 THE COURT: Okay.

23 Yes, ma'am.

24 THE JUROR: *** (Juror Number 0160). I worked
25 as an accounting clerk for Charles City Social Services

1 for seven years.

2 THE COURT: All right. Thank you, Ms. ***
3 (Juror Number 0160).

4 Yes, sir.

5 THE JUROR: *** (Juror Number 0341). And for
6 about three and a half years I was the manager of a
7 DuPont -- DuPont contractor, responsible for payroll and
8 expense reconciliations.

9 THE COURT: All right. Thank you.

10 All right, yes, ma'am.

11 THE JUROR: *** (Juror Number 0382). Accounting
12 courses in college. My cousin was an accountant and
13 assistant superintendent of schools in Hickory, North
14 Carolina, and I worked briefly as a bookkeeper about 28
15 years ago for one year.

16 THE COURT: All right. Thank you.

17 All right. We'll start over here. Yes, ma'am.

18 THE JUROR: *** (Juror Number 0272). I
19 supervise the budget for the Charlottesville City Schools.

20 THE COURT: All right. Thank you, Ms. ***
21 (Juror Number 0272).

22 All right. Yes, sir.

23 THE JUROR: *** (Juror Number 0156).

24 THE COURT: All right, Mr. *** (Juror Number
25 0156).

1 THE JUROR: My wife is retired now. Accounting
2 manager with the Department of Education for the
3 Commonwealth of Virginia.

4 THE COURT: All right. Thank you.

5 Yes, ma'am.

6 THE JUROR: *** (Juror Number 0066). And I'm
7 with the Commonwealth of Virginia and I do accounts
8 receivables and account payables.

9 THE COURT: All right. Thank you.

10 Yes, sir?

11 THE JUROR: My name is *** (Juror Number 0273).
12 I was a teller and a financial services representative for
13 a bank in the North Shore of Boston in the mid-1990s. I
14 also took three accounting courses as part of a business
15 program for college, and I have received supplemental
16 bookkeeping training with my organization, Hewlett
17 Packard, as part of my job as a software delivery program
18 manager.

19 THE COURT: All right. Thank you, Mr. ***
20 (Juror Number 0273).

21 Yes, sir.

22 THE JUROR: *** (Juror Number 0269). That's
23 spelled with a K. I have a son-in-law who's a CPA.

24 THE COURT: All right.

25 Yes, ma'am.

1 THE JUROR: *** (Juror Number 0455). And I'm
2 currently employed as accounts receivable in the City of
3 Richmond.

4 THE COURT: Yes, ma'am.

5 THE JUROR: *** (Juror Number 0034). I have a
6 sister that's a CPA in Houston, Texas, for Dockwise.

7 THE COURT: Ms. *** (Juror Number 0034). Thank
8 you.

9 Yes, sir.

10 THE JUROR: *** (Juror Number 0450). Took two
11 accounting courses at VCU back in the early '70s, and I
12 also have a niece, by marriage, who was a former CPA and
13 her husband is currently a CPA.

14 THE COURT: All right. Thank you.

15 Yes, sir.

16 THE JUROR: *** (Juror Number 0016). I took a
17 couple accounting classes for my bachelor's degree, and I
18 served as the treasurer for a year for a nonprofit
19 organization.

20 THE COURT: All right. Thank you.

21 Yes, sir.

22 THE JUROR: *** (Juror Number 0367). Couple
23 accounting classes in college, and I've got a -- my aunt's
24 husband is a retired CPA in South Carolina.

25 THE COURT: All right. Thank you.

1 Yes, ma'am.

2 THE JUROR: *** (Juror Number 0227).

3 THE COURT: Okay.

4 THE JUROR: My brother is an accountant, and I
5 work in financial management at VCU.

6 THE COURT: All right. Thank you, Ms. ***
7 (Juror Number 0227).

8 Mr. *** (Juror Number 0003).

9 THE JUROR: Yes. I don't know if this would
10 have any bearing, but say if you were hired for a
11 particular job, you wasn't any good at it. So rather than
12 for them to fire me, they transferred me to another
13 department. But I applied for it and got the accounting
14 job, but I just couldn't cut it. But they didn't let me
15 go. They transferred me. So --

16 THE COURT: That's all we need to know, Mr. ***
17 (Juror Number 0003).

18 Yes, ma'am.

19 THE JUROR: *** (Juror Number 0209). My sister
20 is an accountant, and I took some classes in college.

21 THE COURT: Okay, Ms. *** (Juror Number 0209).

22 Yes, sir.

23 THE JUROR: *** (Juror Number 0281). And I took
24 several accounting courses for my information system
25 degree.

1 THE COURT: All right. Thank you, Mr. ***
2 (Juror Number 0281).

3 Does any member of the jury panel have any
4 experience, training, expertise and/or education in the
5 field of banking? Banking?

6 All right. We'll start with Ms. *** (Juror
7 Number 0227).

8 THE JUROR: I was a bank examiner for the
9 Federal Reserve.

10 THE COURT: And how long did you do that?

11 THE JUROR: I did that in the early '80s. So
12 for four years.

13 THE COURT: Four years. Okay. All right.
14 Thank you.

15 Yes, sir.

16 THE JUROR: *** (Juror Number 0108). My sister,
17 Nancy Richards, is the vice president for SunTrust in
18 charge of corporate loans.

19 THE COURT: Mr. *** (Juror Number 0108). Okay.
20 Thank you.

21 All right. Yes, ma'am.

22 THE JUROR: *** (Juror Number 0039). My
23 daughter works for a bank.

24 THE COURT: All right. And do you have any
25 sense of her duties, what is it that she does, teller,

1 loans?

2 THE JUROR: She's an RB, they call it.

3 Relations -- public relations she does.

4 THE COURT: Oh, I got it. Okay. Thank you.

5 Yes, ma'am.

6 THE JUROR: My name is *** (Juror Number 0095).

7 And I have a career -- my career was in IT, budgeting and
8 planning applications and profitability systems and
9 financial services for 25 years.

10 THE COURT: Okay. And I want to make sure I got
11 your name right.

12 THE JUROR: *** (Juror Number 0095).

13 THE COURT: All right. Thank you.

14 Yes, ma'am.

15 THE JUROR: *** (Juror Number 0501). My sister
16 was a head teller over 25 years ago in the South Carolina
17 area. And then she ended up being the president's
18 secretary of one of the major bank firms here in Richmond,
19 but they have changed hands over three times now. But she
20 is now retired.

21 THE COURT: All right. Thank you.

22 Yes, sir.

23 THE JUROR: *** (Juror Number 0068). With a K.
24 Twenty-five years residential mortgage lender as a loan
25 officer.

1 THE COURT: Okay.

2 And just so we don't get any more duplications,
3 I am going to have a specific question about expertise in
4 mortgage brokerage and loans. So that's coming.

5 Okay. All right, Mr. *** (Juror Number 0303).

6 THE JUROR: Yes, sir. I worked at a bank when I
7 was in college and with the Federal Deposit Insurance
8 Corporation for ten years up until 1980, and my brother is
9 a loan officer at Bank of Maryland.

10 THE COURT: Okay. All right.

11 Yes, sir.

12 THE JUROR: *** (Juror Number 0487). My wife is
13 a project manager for the Federal Reserve Bank.

14 THE COURT: Okay. Thank you.

15 Yes, ma'am.

16 THE JUROR: *** (Juror Number 0229). My family
17 started a small bank in Southwestern Virginia. I
18 represented lenders, commercial real estate lenders for
19 loans in the early '80s. I currently serve -- I'm the
20 director of an advisory board of a bank in Richmond.

21 THE COURT: All right. Thank you.

22 Yes, ma'am.

23 THE JUROR: *** (Juror Number 0485). I used to
24 work for Citizens Fidelity for 15 years and I went to the
25 Federal Reserve. I now work at Capital One in ACH.

1 THE COURT: All right.

2 Yes, ma'am.

3 THE JUROR: Hi. *** (Juror Number 0218).

4 THE COURT: All right.

5 THE JUROR: I worked at -- when it was Crestar
6 for eight years in the bank card division.

7 THE COURT: Okay. Thank you.

8 Yes, ma'am.

9 THE JUROR: My name is *** (Juror Number 0358).

10 And I worked in the trust department at Bank of Virginia
11 29 years ago.

12 THE COURT: All right. Thank you.

13 Yes, sir.

14 THE JUROR: *** (Juror Number 0281). I'm with
15 the Federal Reserve for over 30 years, programming and
16 systems administration for the bank and for some U.S.
17 Treasury applications.

18 THE COURT: All right. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0421). My
21 grandfather was a vice president of a bank, and I have an
22 uncle that was a president of a bank.

23 THE COURT: Thank you.

24 Yes, ma'am.

25 THE JUROR: *** (Juror Number 0447).

1 THE COURT: All right.

2 THE JUROR: My husband works for the Federal
3 Reserve Bank.

4 THE COURT: All right. Thank you.

5 Yes, sir.

6 THE JUROR: *** (Juror Number 0099). And I
7 currently work for Capital One in the credit card
8 department.

9 THE COURT: Let's see. *** (Juror Number 0099).
10 Thank you.

11 THE JUROR: You're welcome.

12 THE COURT: Yes, sir.

13 THE JUROR: *** (Juror Number 0333). I've
14 worked as a teller and financial planner.

15 THE COURT: All right. Thank you, Mr. ***
16 (Juror Number 0333).

17 Yes, sir.

18 THE JUROR: *** (Juror Number 0088).
19 Information technology with SunTrust.

20 THE COURT: All right.

21 Yes, ma'am.

22 THE JUROR: *** (Juror Number 0382).
23 Cousin-in-law president of a bank in Mississippi and
24 recently transferred to be president of a bank I believe
25 in Alabama, but I don't know what bank.

1 THE COURT: All right. Thank you.

2 Yes, ma'am.

3 THE JUROR: *** (Juror Number 0160). My
4 daughter is currently employed by Baylands Federal Credit
5 Union as a teller, and my stepdaughter is employed by
6 Virginia Credit Union as a teller.

7 THE COURT: All right. Thank you.

8 Whoever has the cough over there, would you like
9 some water?

10 THE JUROR: Yes.

11 THE COURT: Yes, sir.

12 THE JUROR: *** (Juror Number 0341). For six
13 years I worked for Signet Bank in the mortgage loan
14 conversions. But for the last 16 I've been at Capital One
15 doing financial analytics and data analytics.

16 THE COURT: Thank you, Mr. *** (Juror Number
17 0341).

18 Yes, sir.

19 THE JUROR: My name is *** (Juror Number 0273).
20 I mentioned before I was a teller and a financial services
21 representative for Eastern Bank in the North Shore of
22 Boston. I also worked, from 1999 to 2008, for First
23 Tennessee Bank in on-line banking and IT. And I've also
24 done, as part of my job at HP, I worked for
25 several projects -- managed several projects at Capital

1 One.

2 THE COURT: All right. Thank you, sir.

3 Yes, ma'am.

4 THE JUROR: *** (Juror Number 0277). I'm with
5 Capital One legal, subpoenas.

6 THE COURT: All right. Thank you.

7 Does any member of the jury panel have any
8 training, education, experience, expertise in mortgage
9 banking or mortgage underwriting standards, that kind of
10 thing?

11 All right. We'll start up here. Yes, ma'am.

12 THE JUROR: *** (Juror Number 0150).

13 THE COURT: All right, Ms. *** (Juror Number
14 0150).

15 THE JUROR: I've been a mortgage loan officer
16 for the past 30 years. Currently vice president of
17 mortgage services for Bank of McKenney for 15 years.

18 THE COURT: All right. Thank you.

19 Over here. Yes, sir.

20 THE JUROR: *** (Juror Number 0068).

21 Residential mortgage lending, 25 years. Loan officer,
22 branch manager.

23 THE COURT: All right. Thank you.

24 Yes, sir.

25 THE JUROR: My name is *** (Juror Number 0324).

1 Seven years financial service advisor at my current
2 institution. I also did some data entry on mortgage
3 loans.

4 THE COURT: All right. Thank you, Mr. ***
5 (Juror Number 0324).

6 Yes, sir. Oh, excuse me. Got one more over
7 here. I'm sorry, sir.

8 THE JUROR: *** (Juror Number 0308).

9 THE COURT: All right, *** (Juror Number 0308).

10 THE JUROR: Six years with SunTrust,
11 foreclosures and accounting, and currently at COO Mortgage
12 doing accounting for mortgages and loans.

13 THE COURT: All right, Mr. *** (Juror Number
14 0308). Thank you.

15 Yes, sir.

16 THE JUROR: *** (Juror Number 0049). I'm
17 currently a mortgage broker, self-employed. I've been in
18 the field approximately 20 years.

19 THE COURT: All right. Thank you.

20 Yes, sir.

21 THE JUROR: *** (Juror Number 0450). And I have
22 an uncle who was a retired senior vice president for
23 Savings and Loan up in Baltimore in specialized commercial
24 loans.

25 THE COURT: All right. Thank you.

1 Yes, ma'am.

2 THE JUROR: *** (Juror Number 0431). I was a
3 mortgage loan officer for Savings and Loan in Richmond.

4 THE COURT: All right, Ms. *** (Juror Number
5 0431). Thank you.

6 Yes, ma'am.

7 THE JUROR: *** (Juror Number 0160). I was
8 previously employed with Bank of America Mortgage from
9 1994 to 2000.

10 THE COURT: Thank you.

11 Yes, sir.

12 THE JUROR: *** (Juror Number 0010). From 1999
13 to 2009, we would do 20 -- 30 to 40 real estate closings
14 every month.

15 THE COURT: Okay.

16 All right.

17 Yes, sir, Mr. *** (Juror Number 0341).

18 THE JUROR: Yeah. *** (Juror Number 0341). Six
19 years Signet Bank, mortgage loan conversions.

20 THE COURT: All right. Thank you.

21 Are there any members of the jury panel or your
22 family members who are current or former employees of the
23 Commonwealth of Virginia? Current or former employees of
24 the Commonwealth of Virginia, you or family members?

25 All right. Let's get started with Ms. ***

1 (Juror Number 0227).

2 THE JUROR: *** (Juror Number 0227). I
3 currently work at Virginia Commonwealth University.

4 THE COURT: All right. In what capacity?

5 THE JUROR: I do financial management work in
6 the provost's office.

7 THE COURT: All right. And, Ms. *** (Juror
8 Number 0227), how long have you been doing that?

9 THE JUROR: About 25 years.

10 THE COURT: All right. Thank you.

11 Yes, ma'am.

12 THE JUROR: *** (Juror Number 0039). I'm
13 retired from the Virginia Department of Agriculture and
14 Civil Services, and I worked in the finance office for
15 about 40 years.

16 THE COURT: All right. Thank you, Ms. ***
17 (Juror Number 0039).

18 Yes, sir.

19 THE JUROR: *** (Juror Number 0108). I'm
20 currently employed at Virginia Commonwealth Health
21 Systems, and my father, Lou Brett, retired from the
22 Department of Highways a few years ago, served 30-some
23 plus years with them.

24 THE COURT: All right. Thank you, Mr. ***
25 (Juror Number 0108).

1 Yes, sir.

2 THE JUROR: *** (Juror Number 0185).

3 THE COURT: All right.

4 THE JUROR: And my wife is an RN at the VCU
5 Health Systems.

6 THE COURT: All right. Thank you, Mr. ***
7 (Juror Number 0185).

8 Yes, ma'am.

9 THE JUROR: *** (Juror Number 0399). I'm a
10 pharmacist for Hiram Davis Medical Center.

11 THE COURT: All right. Thank you, Ms. ***
12 (Juror Number 0399).

13 Yes, ma'am.

14 THE JUROR: *** (Juror Number 0355). I'm an
15 educator. I've worked at Northern Virginia Community
16 College, University of Mary Washington and currently at
17 J. Sargeant Reynolds Community College.

18 THE COURT: All right. Thank you, Ms. ***
19 (Juror Number 0355).

20 Yes, ma'am.

21 THE JUROR: *** (Juror Number 0327). My mother
22 worked as a social worker 20, 30 years ago.

23 THE COURT: All right. Thank you.

24 Yes, ma'am.

25 THE JUROR: *** (Juror Number 0462).

1 THE COURT: All right, Ms.*** (Juror Number
2 0462).

3 THE JUROR: I worked for VCU for about ten
4 years. My mother is also retired from the Department of
5 Agriculture Commission of Secretary.

6 THE COURT: All right. Thank you.

7 Yes, ma'am. Right here.

8 THE JUROR: *** (Juror Number 0095). And I
9 worked for one year for what was the Department of Youth
10 and Family Services as a data analyst in 1990.

11 THE COURT: All right. Thank you, Ms. ***
12 (Juror Number 0095).

13 All right. Mr. *** (Juror Number 0003).

14 THE JUROR: Yes. My sister, she was with the
15 Department of Social Services. She was field supervisor
16 for the child protective division of that.

17 THE COURT: Thank you.

18 Yes, sir.

19 THE JUROR: *** I'm (Juror Number 0005). My
20 daughter is currently a nurse at VCU Health Systems.

21 THE COURT: Thank you.

22 Yes, sir.

23 THE JUROR: *** (Juror Number 0016). My mother
24 is a retired nurse from VCU Health Systems.

25 THE COURT: All right.

1 Yes, ma'am.

2 THE JUROR: *** (Juror Number 0388). I worked
3 at VCU parking and transportation in the accounting
4 department, and my sister worked at Virginia State Health
5 Department.

6 THE COURT: All right. Thank you.

7 Yes, sir.

8 THE JUROR: My name is *** (Juror Number 0317).
9 I taught at Southside Virginia Community College for 38
10 years, and I also taught at Virginia State University
11 while working on my degree.

12 THE COURT: All right. Thank you, sir.

13 Yes, ma'am.

14 THE JUROR: *** (Juror Number 0150).

15 THE COURT: All right.

16 THE JUROR: My brother is superintendent of VDOT
17 office. He's been there about 35 years.

18 THE COURT: All right. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0392). My uncle
21 was a programmer for VCU.

22 THE COURT: I didn't hear the last part.

23 THE JUROR: My uncle was a programmer for VCU.

24 THE COURT: VCU. All right.

25 Yes, ma'am.

1 THE JUROR: *** (Juror Number 0102). I was an
2 adjunct instructor for VCU for over 20 years.

3 THE COURT: All right.

4 Yes, sir.

5 THE JUROR: *** (Juror Number 0210). My wife is
6 an employee of Virginia Premier, employed at VCU Health
7 System.

8 THE COURT: All right. Thank you, Mr. ***
9 (Juror Number 0210).

10 Yes, ma'am.

11 THE JUROR: *** (Juror Number 0209). My
12 stepfather was a magistrate.

13 THE COURT: All right. Thank you. And, Ms. ***
14 (Juror Number 0209), do you know what jurisdiction he
15 worked in?

16 THE JUROR: He was in Fredericksburg. It begins
17 with a C.

18 THE COURT: Thank you. All right.

19 Yes, sir.

20 THE JUROR: *** (Juror Number 0398). My aunt
21 retried from VITA.

22 THE COURT: Thank you.

23 Yes, ma'am.

24 THE JUROR: *** (Juror Number 0229). My mother
25 was a circuit court judge's secretary. And I'm in the

1 Office of Attorney General, and I'm an adjunct professor
2 at VCU.

3 THE COURT: All right. Thank you. And, Ms. ***
4 (Juror Number 0229), how long have you been in the AG's
5 Office?

6 THE JUROR: Since December 1st.

7 THE COURT: You just -- oh, you just got
8 started.

9 THE JUROR: I just started.

10 THE COURT: Thank you.

11 Yes, sir.

12 THE JUROR: *** (Juror Number 0478).

13 THE COURT: All right, *** (Juror Number 0478).

14 THE JUROR: As previously mentioned, my father
15 and uncle worked for Virginia State Police, and I worked
16 as a technician for the Department of Game and Inland
17 Fisheries for three years.

18 THE COURT: All right. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0184). And my
21 uncle worked at Community College System.

22 THE COURT: Okay. That's Ms. *** (Juror Number
23 0184).

24 Yes, ma'am.

25 THE JUROR: *** (Juror Number 0218). My

1 sister-in-law worked as an aid with former Governor John
2 Wilder -- Warner -- John Warner.

3 THE COURT: Make sure I'm hearing. You said
4 your sister?

5 THE JUROR: Sister-in-law.

6 THE COURT: Sister-in-law. And she worked
7 for -- is it Mark Warner or John Warner?

8 THE JUROR: John Warner. He's retired.

9 THE COURT: All right. Thank you very much.

10 Yes, sir.

11 THE JUROR: *** (Juror Number 0218). My wife
12 currently works at the VCU dental school as a patient
13 coordinator. And my mother used to work for the state in
14 the IT department. She's retired.

15 THE COURT: All right. Thank you, Mr. ***
16 (Juror Number 0218).

17 Yes, ma'am.

18 THE JUROR: My name is *** (Juror Number 0205).
19 My husband work with the health department at MCV/VCU.

20 THE COURT: Give me your last name again.

21 THE JUROR: *** (Juror Number 0205).

22 THE COURT: And you said your husband worked for
23 what agency?

24 THE JUROR: At MCV/VCU.

25 THE COURT: VC?

1 THE JUROR: He was in the health department of
2 Virginia.

3 THE COURT: All right. Thank you.

4 Yes, ma'am.

5 THE JUROR: *** (Juror Number 0447). And I did
6 occasional contract work for the Department of
7 Professional Licensing Board of Opticians.

8 THE COURT: And I missed your name again.

9 THE JUROR: *** (Juror Number 0447). Y-E-N.

10 THE COURT: Right. I gotcha.

11 Yes, ma'am. No. Right here in the gray
12 sweater. Yes.

13 THE JUROR: *** (Juror Number 0453). I'm a
14 nurse with VCU Health System, MCV Physicians.

15 THE COURT: All right. Thank you.

16 All right. Yes, sir.

17 THE JUROR: *** (Juror Number 0450). My
18 daughter worked for VCU in the accounting lab as a tutor
19 for two years, and I have a sister-in-law who's retired
20 from the Virginia Employment Commission.

21 THE COURT: All right. Thank you.

22 Yes, sir.

23 THE JUROR: *** (Juror Number 0496). I worked
24 for the Virginia Department of Corrections about eight
25 years ago.

1 THE COURT: All right. Thank you.

2 Yes, sir.

3 THE JUROR: *** (Juror Number 0141). I work for
4 the Department of Health and VASAP.

5 THE COURT: All right. Thank you.

6 All right. We'll start over here.

7 THE JUROR: *** (Juror Number 0363). My
8 mother-in-law works for Department of State, and my
9 brother-in-law works for VCU State Police -- VCU Police.

10 THE COURT: All right. Thank you.

11 THE JUROR: My name is *** (Juror Number 0250).

12 And I have a grandmother who works at Virginia State
13 University, and my uncle works at Virginia State
14 University as well. I work for John Marshall Court in
15 Richmond, Virginia.

16 THE COURT: All right. Start across here.

17 Yes, ma'am. Right here.

18 THE JUROR: *** (Juror Number 0277). I have a
19 sister who works for the Virginia Institute for the Blind
20 and another sister who works for the Department of
21 Taxation State Collections.

22 THE COURT: Thank you, Ms. *** (Juror Number
23 0277).

24 Yes, ma'am.

25 THE JUROR: *** (Juror Number 0256). I'm a

1 former nurse for VCU Health System. My mother is a
2 retired teacher, City of Petersburg. My brother worked
3 for the Department of Juvenile Justice.

4 THE COURT: All right. Thank you, Ms. ***
5 (Juror Number 0256).

6 All right. Mr. *** (Juror Number 0341).

7 THE JUROR: *** (Juror Number 0341). I have
8 two brothers-in-law that work for the Commonwealth. One
9 is a research lawyer and I don't know what department, and
10 the other is an IT administrator.

11 THE COURT: All right. Thank you.

12 Yes, ma'am.

13 THE JUROR: *** (Juror Number 0238). I worked
14 for the Virginia Employment Commission in the '80s in the
15 IT department, and my husband currently works for the
16 Virginia Supreme Court in the IT department.

17 THE COURT: All right. Thank you.

18 Yes, ma'am.

19 THE JUROR: Yes. *** (Juror Number 0500). I am
20 now married to The Honorable Robert D. Laney, Chesterfield
21 General District Court, retired 25 years. He still
22 substitutes. So -- for the state of Virginia, for the
23 Commonwealth.

24 THE COURT: And what jurisdiction was Judge
25 Laney in?

1 THE JUROR: Chesterfield General District Court.

2 THE COURT: Chesterfield General District. All
3 right. Thank you very much.

4 All right. Yes, ma'am.

5 THE JUROR: I'm *** (Juror Number 0382).
6 Primary elementary school teacher from '94 to '04.

7 THE COURT: All right. Thank you.

8 All right. Yes, ma'am.

9 THE JUROR: *** (Juror Number 0272).

10 Superintendent of schools, Charlottesville City.

11 THE COURT: All right. Thank you.

12 All right. Yes, sir.

13 THE JUROR: *** (Juror Number 0156). Previously
14 employed, for approximately ten years, with the Virginia
15 Employment Commission, and my wife is involved in the
16 Department of Education currently.

17 THE COURT: All right. Thank you, Mr. ***
18 (Juror Number 0156).

19 Yes, ma'am.

20 THE JUROR: I'm *** (Juror Number 0066). And I
21 have been with the Commonwealth of Virginia for 25 years,
22 and my agency is currently the Department of Environmental
23 Quality.

24 THE COURT: All right. Thank you.

25 Yes, sir.

1 THE JUROR: My name is *** (Juror Number 0273).
2 I have a sister-in-law who's a nurse at VCU Medical, and
3 my mother-in-law served as a teacher in the Williamsburg
4 area up until 2008 when she retired.

5 THE COURT: All right. Thank you.

6 Yes, sir.

7 THE JUROR: *** (Juror Number 0269). My wife
8 has had three separate jobs with the state. Late '70s,
9 she was with the State Department of Welfare. Mid-'90s
10 Christopher Newport University. Currently employed by the
11 Community College System.

12 THE COURT: All right. Thank you, sir.

13 Yes, sir.

14 THE JUROR: *** (Juror Number 0432).

15 THE COURT: All right.

16 THE JUROR: Former correctional sergeant, 30
17 years service, Department of Corrections.

18 THE COURT: All right. Thank you, Mr. ***
19 (Juror Number 0432).

20 Yes, sir.

21 THE JUROR: *** (Juror Number 0367). Wife was a
22 speech pathologist for the Hampton school system '77, '78
23 time frame, somewhere in that area.

24 THE COURT: All right.

25 Stand up. Yes, sir.

1 THE JUROR: My name is *** (Juror Number 0333).
2 I was wondering, do you include educators who are employed
3 by the county as part of those employed by the state?

4 THE COURT: No.

5 THE JUROR: Thank you.

6 THE COURT: Does any member of the jury panel or
7 a close family member have any training, education,
8 expertise or experience in the area of real estate sales,
9 rentals or brokerage? Real estate sales, rentals or
10 brokerage?

11 Let's start over here. Yes, ma'am.

12 THE JUROR: My name is *** (Juror Number 0381).
13 And my mother is a real estate agent.

14 THE COURT: Okay, Ms. *** (Juror Number 0381).
15 All right. Thank you.

16 Yes, ma'am.

17 THE JUROR: *** (Juror Number 0095). I have and
18 my family has owned rental property for 50 years.

19 THE COURT: Okay, Ms. *** (Juror Number 0095).
20 And, Ms. *** (Juror Number 0095), let me inquire a little
21 further. You said for how many years?

22 THE JUROR: I just said 50. My parents had
23 rental homes in Southampton County, and I had some in
24 Charlottesville for 20 years.

25 THE COURT: All right. And what type of

1 properties are we talking, residential?

2 THE JUROR: Residential, yes, sir.

3 THE COURT: All right. Thank you, ma'am.

4 Yes, sir.

5 THE JUROR: I'm *** (Juror Number 0005). My
6 wife works for an attorney and does real estate closings.

7 THE COURT: Thank you.

8 All right. Ms. *** (Juror Number 0227).

9 THE JUROR: I own some rental property.

10 THE COURT: All right. Thank you. And what --
11 just what kind or --

12 THE JUROR: Residential.

13 THE COURT: Residential. All right.

14 Yes, sir. Over here.

15 THE JUROR: *** (Juror Number 0161). My wife is
16 a realtor.

17 THE COURT: *** (Juror Number 0161). Thank you.

18 Yes, sir.

19 THE JUROR: *** (Juror Number 0068). I got my
20 real estate license 20-plus years ago. Parents managed 50
21 rental properties before they retired. My mother
22 currently holds a brokerage license in real estate. My
23 wife currently works for a property management company,
24 commercial real estate, 90-plus properties, family owned.

25 THE COURT: All right. Thank you.

1 All right. Yes, sir, Mr. *** (Juror Number
2 0303).

3 THE JUROR: *** (Juror Number 0303). I've been
4 in the real estate and sales business and brokerage for 30
5 years, and I own a number of single-family rentals and one
6 commercial.

7 THE COURT: All right. Thank you.

8 Yes, sir.

9 THE JUROR: *** (Juror Number 0337).

10 THE COURT: Okay.

11 THE JUROR: My son-in-law used to rent several
12 residential properties. I think his mother is a real
13 estate agent. And I bought a house and rent it to my
14 daughter.

15 THE COURT: All right. Thank you.

16 Yes, sir.

17 THE JUROR: *** (Juror Number 0414).

18 THE COURT: All right, *** (Juror Number 0414).

19 THE JUROR: I had real estate license for over
20 30 years. My wife shared one for 35. She's a broker in
21 Richmond, and we self-manage some of our residential
22 properties.

23 THE COURT: All right. Thank you.

24 Yes, ma'am.

25 THE JUROR: *** (Juror Number 0101). And my

1 grandmother owns and is a broker for Courthouse
2 Properties, Incorporated in Chesterfield and she owns
3 several rental properties. And my aunt also has her real
4 estate license.

5 THE COURT: All right. Thank you.

6 Yes, sir.

7 THE JUROR: My name is *** (Juror Number 0466).
8 And I have two brothers-in-law who are both involved in
9 the commercial mortgage brokerage business. And then we
10 had a couple of vacation homes that we rented.

11 THE COURT: All right, *** (Juror Number 0466).
12 Thank you. Mr. *** (Juror Number 0466), let me ask you
13 this. Your vacation properties, where were they located?

14 THE JUROR: One was in Corolla, North Carolina,
15 and one was in Snowshoe.

16 THE COURT: The last?

17 THE JUROR: Snowshoe, West Virginia.

18 THE COURT: Snowshoe. Okay. All right.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0102). I have a
21 cousin who is a real estate agent.

22 THE COURT: All right. Thank you, Ms. ***
23 (Juror Number 0102).

24 All right. Yes, ma'am. Ms. *** (Juror Number
25 0229).

1 THE JUROR: *** (Juror Number 0229). I consider
2 myself a commercial real estate agent.

3 THE COURT: All right.

4 Yes, sir.

5 THE JUROR: *** (Juror Number 0389). My
6 father-in-a law is a realtor. He does have some rental
7 properties.

8 THE COURT: Thank you.

9 Yes, ma'am.

10 THE JUROR: *** (Juror Number 0363). I was
11 employed with a real estate company in the rentals
12 department for about six months in 2005.

13 THE COURT: All right. Thank you.

14 Yes, sir.

15 THE JUROR: *** (Juror Number 0336). My older
16 brother has a real estate license. He and I own several
17 commercial and residential properties together.

18 THE COURT: All right. Thank you, Mr. ***
19 (Juror Number 0336).

20 Yes, ma'am.

21 THE JUROR: *** (Juror Number 0447). My brother
22 has a real estate license, and my father worked for a real
23 estate company many years ago and had rental property.

24 THE COURT: Thank you.

25 Yes, sir. Mr. *** (Juror Number 0156).

1 THE JUROR: Yes, sir. Managed personal
2 residential real estate, rental.

3 THE COURT: Is that currently or in the past?

4 THE JUROR: In the past.

5 THE COURT: In the past. All right. Thank you,
6 *** (Juror Number 0156).

7 Yes, ma'am.

8 THE JUROR: *** (Juror Number 0382). My sister
9 is a licensed real estate agent but is not currently
10 actively employed in the field.

11 THE COURT: Thank you.

12 Yes, sir.

13 THE JUROR: *** (Juror Number 0269). My wife
14 and I are joint owners of one piece, one parcel of
15 residential real estate property, and we're currently
16 involved in some intra-family loans and mortgages, all of
17 which are duly registered.

18 THE COURT: All right. Thank you.

19 Yes, ma'am.

20 THE JUROR: *** (Juror Number 0220). My son has
21 a real estate license and manages properties in Missoula,
22 Montana, and my father-in-law, who's deceased, also had a
23 real estate license.

24 THE COURT: All right. Thank you.

25 All right. It's -- it's 1:00 and we're not even

1 close to being finished with this. So what I've done, we
2 got lunch for all of you down on the second floor
3 primarily because we want to keep you together until this
4 process is completed. So I'm going to have you all --
5 we'll be down for lunch for one hour. So we'll be back in
6 here at -- at 2:00. You all follow the marshals.

7 (The jury panel exited the courtroom.)

8 THE COURT: All right. All of the jurors are
9 out of the courtroom. I had a -- just a couple things.
10 I've got a letter here from one of the jurors, she's 0421,
11 and she was making a late request to be excused. And it
12 basically relates to her duties as a caregiver to her
13 extremely ill father. And she outlined what the deal was
14 and gave me a letter documenting the illness. So I would
15 certainly be open to releasing her.

16 Anybody got any particular objections?

17 MR. ASBILL: No.

18 MR. DRY: None from the United States, Your
19 Honor.

20 MR. BURCK: No, Your Honor.

21 THE COURT: And I've got a few more that I don't
22 want to discuss right now, but I just want to alert you.
23 There were -- as I went through this over the weekend
24 yesterday, there were like three names that popped out I
25 thought maybe we could scrub. One is *** (Juror Number

1 0184). She's 0184. She indicated that she had formed an
2 opinion, a negative one, which -- and doubted her ability
3 to be fair. So you all take a look at that one. We'll
4 talk about it more.

5 Then there was *** (Juror Number 0196). I think
6 it is. And he indicated he had formed an opinion, albeit
7 a general one, about all politicians, but he did indicate
8 the formation of an opinion.

9 And then -- *** (Juror Number 0196) was 0196.

10 And then this *** (Juror Number 0160). She
11 indicated she had formed an opinion and then at another
12 place, she indicated she thought she might not be able to
13 be fair, but she never articulated her opinion. So I
14 think we need to talk to her. I just want to alert you to
15 these. And I just -- I don't know how I missed that, but
16 I went through everything yesterday and just found these
17 in the questionnaires.

18 MR. ASBILL: Judge, with respect to the first
19 two, we would ask that they be excused for cause.

20 THE COURT: All right. Any problem with that?

21 MR. DRY: Judge, we'd like all three excused for
22 cause, if we're going to excuse the first two.

23 THE COURT: Okay.

24 MR. ASBILL: We don't object to all three being
25 excused.

1 MR. BURCK: No, Your Honor.

2 THE COURT: I think that's the safest way to go.

3 All right.

4 MR. DRY: Judge, there was one additional one,
5 Juror 218, *** (Juror Number 0218), who I believe on
6 question number 97 said that she shouldn't serve either.

7 THE COURT: All right. I'll take a look in a
8 second. Give me that name again, Mr. Dry.

9 MR. DRY: This is Juror Number 218.

10 THE COURT: *** (Juror Number 0218).

11 All right. Yeah, I flagged her, Number 97. She
12 says she has -- when asked "is there any reason that you
13 believe you should not sit as a juror in this case," she
14 said yes, and then she relates some connection that her
15 sister-in-law has to a politician. I think we -- I think
16 we need to inquire more about that one.

17 MR. ASBILL: We agree, Your Honor.

18 THE COURT: All right. So we'll do that. I'll
19 make a note.

20 MR. DRY: Your Honor, one housekeeping matter.

21 THE COURT: Sure.

22 MR. DRY: We may have been overly ambitious, but
23 we have a couple witnesses that are ready to go. And it
24 doesn't look like they'll be joining us today so we'd like
25 to release them. I just want to make sure that there's no

1 chance we're getting to them.

2 THE COURT: You must have been hallucinating.

3 MR. DRY: Very well. Just didn't want to be
4 unprepared, Your Honor.

5 THE COURT: I appreciate that.

6 But we'll be back at 2. We've got some -- you
7 know, quite a ways to go to get to the jury. My hope was
8 that we would get at least to opening statements, but
9 that's looking even more shaky as we go. But witnesses, I
10 have serious doubt.

11 MR. BURCK: Your Honor, just one other
12 housekeeping point. And we may have missed it, but I'm
13 not sure that the Court inquired of the jury as to whether
14 or not Quinn Emanuel, have they had any interaction with
15 Quinn Emanuel as attorneys. So I was just -- I know Jones
16 Day and Holland & Knight were mentioned, but I just
17 thought as a --

18 THE COURT: Right.

19 MR. BURCK: It's a small point.

20 THE COURT: Yeah. Quinn Emanuel, I'll ask them
21 about that.

22 MR. BURCK: Thank you, Your Honor.

23 THE COURT: All right. We'll see you all at
24 2:00.

25 ///

1 (Luncheon recess taken from 1:09 p.m. to 2:10 p.m.)

2 THE COURT: Does any member of the jury panel or
3 a close family friend have any training, education,
4 expertise, or experience in stock brokerage, buying,
5 selling, investment advice? Any stockbrokers?

6 All right, let's start up here. Yes, ma'am?

7 THE JUROR: My name is *** (Juror Number 0290).
8 My mom is a stockbroker.

9 THE COURT: All right. What was the
10 relationship?

11 THE JUROR: My mother.

12 THE COURT: Mother. Thank you. Yes, sir?

13 THE JUROR: *** (Juror Number 0111). My
14 brother-in-law is president of a financial planning firm
15 and in the past he has bought and sold stocks and bonds.

16 THE COURT: Okay, Mr. ***. Thank you. Yes,
17 ma'am?

18 THE JUROR: *** (Juror Number 0501). My brother
19 is a stockbroker in the Richmond area.

20 THE COURT: Okay. Ms. *** , do you know what
21 firm he is with?

22 THE JUROR: It is a major firm, and I'm sorry, I
23 don't know the name.

24 THE COURT: Okay. Thank you. Yes, ma'am?

25 THE JUROR: *** (Juror Number 0229). I

1 represent a financial advisor out of Houston. I was
2 general counsel for a couple real estate investment firms.

3 THE COURT: All right. Yes, sir?

4 THE JUROR: *** (Juror Number 0308). Past
5 employee of Wachovia Securities for 14 years. I was in
6 charge of stocks and bonds and pricing M.O.'s.

7 THE COURT: All right, thank you. Yes, sir?

8 THE JUROR: *** (Juror Number 0333). My father
9 is a professional financial advisor and my brothers own a
10 financial advisory firm and my brother-in-law works as a
11 trader for a firm in Boston.

12 THE COURT: All right. Thank you. Yes, sir?

13 THE JUROR: *** (Juror Number 0049). My father
14 is a retired investment counselor.

15 THE COURT: All right, thank you. Yes, sir?

16 THE JUROR: *** (Juror Number 0269). I have a
17 son-in-law who is the in-house financial planner for a
18 small firm in Charlottesville.

19 THE COURT: Thank you.

20 Has any member of the jury panel or a close
21 family member ever run for or held an elected office? All
22 right, we will start on this side this time. Yes, sir?

23 THE JUROR: *** (Juror Number 0099). My brother
24 ran for a City Council seat up in Kingston, New York last
25 year.

1 THE COURT: Yes, ma'am?

2 THE JUROR: *** (Juror Number 0445). My
3 stepmother is in the House of Representatives for the
4 State of North Carolina. She is retired now.

5 THE COURT: Thank you. Yes, ma'am?

10 THE COURT: All right, thank you. Yes, sir?

11 THE JUROR: *** (Juror Number 0217). My father
12 was the mayor of Kiawah Island, South Carolina for a term.

13 THE COURT: All right. Mr. Nelson, how far does
14 that go back?

15 THE JUROR: 10, 12 years ago.

16 THE COURT: When was his term, approximately?

17 THE JUROR: I want to guess it was 1996 to 1998,
18 something like that. It is when the Ryder Cup was played
19 down there if that helps.

20 THE COURT: All right.

Has any member of the jury panel ever worked in
a job where you were required to file annually or
periodically a Statement of Economic Interest? All right,
we will start with you, Ms. ***.

25 THE JUROR: *** (Juror Number 0227). As a

1 Commonwealth of Virginia employee working in financial
2 management, I'm required to file annually.

3 THE COURT: All right. Thank you. Yes, sir?

4 THE JUROR: *** (Juror Number 0203). I'm a
5 manager for the federal government. Annually, we have to
6 submit documentation to show we don't have any interest in
7 companies that we deal with.

8 THE COURT: All right. Thank you. Yes, sir?

9 THE JUROR: *** (Juror Number 0179). We have to
10 file -- I work for the Federal Reserve Bank of Richmond.
11 We have to file an annual report.

12 THE COURT: All right, thank you. Yes, ma'am?

13 THE JUROR: As Superintendent of schools, ***
14 (Juror Number 0272), I have to file an annual statement.

15 THE COURT: Thank you, ma'am. Yes, sir?

16 THE JUROR: *** (Juror Number 0281), Federal
17 Reserve, annual statement.

18 THE COURT: All right. Thank you, Mr. ***.
19 Yes, ma'am?

20 THE JUROR: *** (Juror Number 0500). My husband
21 has to file an annual asset statement.

22 THE COURT: With whom do you file?

23 THE JUROR: (Inaudible.)

24 THE COURT: I didn't hear.

25 THE JUROR: He has to file an annual asset

1 statement for the courts.

2 THE COURT: Oh, I got you.

3 Is there any member of the jury panel who has
4 had a claim against or a dispute with the Commonwealth of
5 Virginia?

6 Do any of you now or have you in the past acted
7 as a supplier, contractor, or subcontractor for the
8 Commonwealth of Virginia?

9 THE JUROR: Is that federal government as well?

10 THE COURT: Well, this particular question was
11 relating to the Commonwealth.

12 THE JUROR: Sorry.

13 THE COURT: We need your name for the record.

14 THE JUROR: *** (Juror Number 0356).

15 THE COURT: Is there any member of the jury
16 panel who does not speak, read, or write fluently the
17 English language?

18 Has any member of the jury panel ever studied
19 law or taken any law-related courses? Any lawyers or
20 those who have taken law-related courses? All right.

21 Let's start right here.

22 THE JUROR: *** (Juror Number 0363). As a part
23 of my Masters program I just studied healthcare law.

24 THE COURT: Healthcare law, part of your Masters
25 program. Yes, sir?

1 THE JUROR: *** (Juror Number 0450). I took a
2 business law course in 1977.

3 THE COURT: Thank you. Yes, sir?

4 THE JUROR: *** (Juror Number 0059). I studied
5 aviation law as part of my undergraduate program.

6 THE COURT: All right, Mr. ***. Yes, ma'am?

7 THE JUROR: *** (Juror Number 0382). School law
8 as part of my Masters in Administration.

9 THE COURT: All right. Yes, ma'am?

10 THE JUROR: *** (Juror Number 0160). I also
11 studied school law for my Masters in Administration.

12 THE COURT: Thank you very much.

13 THE JUROR: *** (Juror Number 0010). I got a
14 juris doctor degree in 1977, practiced law in the Richmond
15 area for 32 years.

16 THE COURT: Thank you, Mr. ***. Yes, ma'am?

17 THE JUROR: *** (Juror Number 272), school law,
18 graduate work and workshops annually.

19 THE COURT: All right. Yes, ma'am?

20 THE JUROR: *** (Juror Number 0388). Business
21 law as part of my undergraduate.

22 THE COURT: All right, thank you. Yes, sir?

23 THE JUROR: *** (Juror Number 0273), two
24 business law courses as part of my undergraduate at
25 University of Memphis.

1 THE COURT: Yes, ma'am?

2 THE JUROR: *** (Juror Number 0455). I studied
3 law as part of my Associates and Master's degree.

4 THE COURT: All right, thank you. Yes, sir?

5 THE JUROR: *** (Juror Number 0016). I have
6 studied business law and Internet law as part of my
7 undergraduate degree.

8 THE COURT: All right. Thank you. Yes, ma'am?

9 THE JUROR: *** (Juror Number 0229). I am
10 currently a practicing Virginia lawyer.

11 THE COURT: All right, thank you. Yes, ma'am?

15 THE COURT: All right, thank you.

16 THE COURT: Thank you.

17 Has any member of there jury panel or a family
18 member ever been either a witness to a crime or a victim
19 of a crime? Witness to a crime or a victim of a crime.

20 THE JUROR: *** (Juror Number 0003.) Your
21 Honor, victim of a crime, would that include like breaking
22 and entering? I've been robbed a couple times.

23 THE COURT: All right. Let's start with you,
24 Mr. ***. First of all, when was the last time? You are
25 describing a burglary of your home?

1 THE JUROR: Yes. The last time was
2 approximately two-and-a-half years ago. I went out of
3 town to North Carolina and came back and they had got me.
4 The time before that was approximately about five years
5 before that.

6 THE COURT: All right. Thank you, Mr. ***.

7 Yes, sir?

8 THE JUROR: *** (Juror Number 0005). Our house
9 was broken into back in 1995, I believe it was.

10 THE COURT: Thank you. Yes, ma'am?

11 THE JUROR: May I approach the bench?

12 THE COURT: Certainly. Come on up.

13 (At Bench.)

14 THE JUROR: *** (Juror Number 0501) again. It
15 was over 30 years ago, and I lived in the Henrico area.
16 This was my son's father, he worked third shift, and so it
17 was my son and myself in the house at night, and a
18 neighbor that -- we were in a home residence. A neighbor
19 in an apartment, I'm trying to remember, it is in Henrico,
20 I can't remember the name of the street, broke into the
21 back of the house, the door, took the handles out of the
22 door, and I had a dog that was getting ready to deliver.
23 She was growling. I had my son in bed with me at the
24 time. She was growling and woke me up. I was walking
25 down the hallway and this guy that had broken in was in

1 the first bedroom and he came out, put his hand over my
2 mouth. There was no rape involved, but the hand. I did
3 identify him and he is in prison for life.

4 THE COURT: Okay. Now, how long ago was this?

5 THE JUROR: Over 30-some years ago. My son was
6 an infant and now he is in his late 30's.

7 THE COURT: All right.

8 THE JUROR: Thank you.

9 (In Open Court.)

10 All right, Mr. *** (Juror Number 0341)?

11 THE JUROR: Yes, sir, about ten years ago in
12 Baltimore, the rear window of our van was smashed in, and
13 about a thousand dollars worth of stuff taken out of it.

14 THE COURT: All right, thank you. Yes, ma'am?

15 THE JUROR: May I approach?

16 THE COURT: Absolutely. Come on up.

17 (At Bench.)

18 THE JUROR: *** (Juror Number 0421). I gave you
19 the letter.

20 THE COURT: I was about to discuss that.

21 THE JUROR: I didn't know when to stand up about
22 that.

23 THE COURT: Actually, we have discussed that
24 letter after you all left for lunch and we decided to let
25 you go. So you may be excused. And I certainly hope and

1 pray that everything turns out all right. And you are
2 free to go.

3 THE JUROR: Right now?

4 THE COURT: Absolutely.

5 (In Open Court.)

6 Yes, ma'am?

7 THE JUROR: *** (Juror Number 0452). I was
8 robbed in 2008.

9 THE COURT: All right, thank you. Yes, sir?

10 THE JUROR: *** (Juror Number 0099). My
11 apartment was broken into in the early 1990's and my car
12 was broken into in the early 1990's and also the early
13 2000's.

14 THE COURT: Thank you. Yes, ma'am?

15 THE JUROR: *** (Juror Number 0494). My house
16 in San Antonio was broken into and robbed in 1985.

17 THE COURT: All right. Thank you. Yes, sir,
18 Mr. *** (Juror Number 0273)?

19 THE JUROR: My car was broken into in 1993.

20 THE COURT: Thank you. Yes, ma'am?

21 THE JUROR: *** (Juror Number 0445).

22 Hit-and-run victim, 2008.

23 THE COURT: All right. Yes, sir?

24 THE JUROR: *** (Juror Number 0336). My car was
25 broken into in 1985.

1 THE COURT: All right, Mr. ***. Ms. *** (Juror
2 Number 0227)?

3 THE JUROR: Attempted break-ins, my residence.

4 THE COURT: Your residence? How long ago was
5 that?

6 THE JUROR: Two years ago.

7 THE COURT: All right. Mr. *** (Juror Number
8 0281)?

9 THE JUROR: 1982, motorcycle stolen; about 1985,
10 car broken into; and late 1980's, shed broken into, about
11 \$2,000 worth of tools stolen.

12 THE COURT: Thank you. Yes, sir?

13 THE JUROR: *** (Juror Number 0333). Passport
14 was stolen in 1992.

15 THE COURT: All right. Thank you. Yes, ma'am?

16 THE JUROR: *** (Juror Number 0358). I was
17 victim of a hit-and-run about ten years ago and a house
18 break-in about 30 years ago.

19 THE COURT: All right. Thank you.

20 Now, the responses to this next question, we
21 will take all of the responses at the bench. So what I
22 would like for you to do, if you have a positive response
23 to this, line up in the aisle and we will take you one at
24 a time.

25 Has any member of the jury panel or a family

1 member been charged with a crime or convicted of a crime
2 other than a minor traffic offense? You or any member of
3 your family ever been charged with a crime or convicted of
4 a crime other than a minor traffic offense? Again, as I
5 say, if you have an answer to that, just line up in the
6 aisle and counsel approach.

7 THE JUROR: *** (Juror Number 0003). That's
8 charged and convicted?

9 THE COURT: Either/or. If you were charged,
10 that's a positive answer, or if you were convicted. Yes,
11 ma'am?

12 THE JUROR: *** (Juror Number 0327). My father
13 was convicted like twelve years ago of a distribution
14 charge.

15 THE COURT: And do you know what jurisdiction,
16 where that happened?

17 THE JUROR: I think it was Richmond.

18 THE COURT: In Richmond. Did you go to court or
19 participate in anything?

20 THE JUROR: No.

21 THE COURT: All right. Thank you. Yes, sir?

22 THE JUROR: *** (Juror Number 0196). My
23 step-brother, Robert Lindell, he was charged and
24 convicted, theft from employers, tools, construction
25 equipment.

1 THE COURT: What's your name?

2 THE JUROR: *** (Juror Number 0196). I believe
3 he served twelve months in the Stafford County Regional
4 Jail.

5 THE COURT: Mr. ***, I'm going to go ahead and
6 excuse you. You had some opinions in the questionnaire
7 that probably would be tough to get beyond, so we are
8 going to go ahead and excuse you. You are free to go. I
9 thank you for coming down.

10 (Juror left Bench.)

11 THE COURT: That's 0196. Yes, sir?

16 THE COURT: And the relationship to you is
17 your --

18 THE JUROR: Son-in-law, I guess. I've been
19 separated from my wife for 14 years. So I have really no
20 relationship with them other than support.

21 THE COURT: The son-in-law was charged with --

22 THE JUROR: Murder of my son. Ruled accidental
23 homicide. Shot through the neck.

24 THE COURT: And what was the charge, some kind
25 of involuntary manslaughter?

1 THE JUROR: Involuntary manslaughter, yes, sir.

2 THE COURT: How long ago was this?

3 THE JUROR: Nine, ten years ago, I guess.

4 THE COURT: And what jurisdiction?

5 THE JUROR: Hanover.

6 THE COURT: All right. Thank you, Mr. ***.

7 Yes, ma'am?

8 THE JUROR: *** (Juror Number 0218). My nephew
9 was charged, I think it was Indiana, for breaking and
10 entering, and he got 30 years. So I don't know whether
11 drugs was involved or not. It was very hush-hush with my
12 sister.

13 THE COURT: Ms. ***, while I have you up here, I
14 wanted to ask you about something in your questionnaire.
15 You indicated that you have a sister-in-law named Loomis?

16 THE JUROR: Yes, Ann Loomis.

17 THE COURT: In one question you thought that
18 might be some problem with your sitting in this case.
19 What was that about?

20 THE JUROR: Well, I don't know who she knows. I
21 mean, she might know, you know, people up there that I
22 don't know she knows.

23 THE COURT: So there is no particular person,
24 you just thought she might know some of the parties.

25 THE JUROR: I don't know if she knows them or

1 not, so I was kind of in the dark.

2 THE COURT: Thank you. That's all I need to
3 know. Yes, sir?

4 THE JUROR: *** (Juror Number 0232). My
5 brother, ***, back in 2001, convicted of street racing and
6 also went along with reckless endangerment. He spent two
7 weeks in the county. My other brother, ***, in
8 Mississippi, I think this was back last year or year
9 before, I think two years back, he was convicted with
10 marijuana charges.

11 THE COURT: All right. Thank you. Yes, sir?

12 THE JUROR: *** (Juror Number 0279). I got a
13 drunk in public and disorderly conduct about 2010.

14 THE COURT: Where did this happen?

15 THE JUROR: Richmond City.

16 THE COURT: Thank you. Yes, ma'am?

17 THE JUROR: *** (Juror Number 0109). Son, ***,
18 assault.

19 THE COURT: How long ago was that?

20 THE JUROR: 2001.

21 THE COURT: Where did it happen?

22 THE JUROR: It was in Henrico, I think. He
23 spent a year at Riverside.

24 THE COURT: Okay, thank you. Yes, ma'am?

25 THE JUROR: *** (Juror Number 0399). Brother,

1 criminal, but I can't really tell you what the charges are
2 because I don't know.

3 THE COURT: But you know it was some kind of
4 criminal offense. Do you know where it was, what
5 jurisdiction?

6 THE JUROR: Richmond.

7 THE COURT: And how long ago was it?

8 THE JUROR: Five years.

9 THE COURT: Okay. Thank you. Yes, sir?

10 THE JUROR: *** (Juror Number 0367). I was
11 charged with breach of the peace in traffic court in
12 Newport News, I think around 1977. And I had a younger
13 brother that was charged with brandishing a firearm, I
14 believe in 1978.

15 THE COURT: Thank you. Yes, ma'am?

16 THE JUROR: *** (Juror Number 0200). I have two
17 separate cases. My uncle, ***, was just convicted of, I
18 think, three different counts of molesting. I'm pretty
19 sure he just got sentenced to ten years. This was just
20 five, six months ago.

21 THE COURT: Do you know where it was, what
22 court, what jurisdiction?

23 THE JUROR: I think it is Chesterfield County.

24 THE COURT: And the other case?

25 THE JUROR: Is against me. I was caught

1 stealing money from my employer.

2 THE COURT: How long ago was that?

3 THE JUROR: That was six, seven years now.

4 THE COURT: What were you charged with?

5 THE JUROR: It ended up being nolle prossed.

6 The Judge had me go into Chesterfield County Jail for
7 eight days, and then I don't know the wording, but I just
8 know it was nolle prossed.

9 THE COURT: All right. And you said this was
10 from an employer?

11 THE JUROR: Yes, Kroger.

12 THE COURT: All right. Thank you very much.

13 Yes, sir?

14 THE JUROR: *** (Juror Number 0406). My son was
15 convicted of possession of controlled substance.

16 THE COURT: How long ago was that?

17 THE JUROR: Oh, that was, been close to ten
18 years now. He was convicted, he got fined, he didn't pay
19 his fine, the state took his driver's license for three
20 years. Me and his mother paid it for him.

21 THE COURT: All right. Bless you for being a
22 good parent. Yes, ma'am?

23 THE JUROR: *** (Juror Number 0162). I have a
24 younger brother who has been charged with and convicted of
25 two different crimes and served time in Richmond in the

1 city.

2 THE COURT: Do you know the crimes?

3 THE JUROR: Breaking and entering, and I guess
4 what is it called when he stole something from a store and
5 the store was open and like shoplifting. I'll give it to
6 him, he has served his time and he is home now.

7 THE COURT: How long ago was that?

8 THE JUROR: He has been home for almost five
9 years now.

10 THE COURT: Thank you. Yes, sir?

11 THE JUROR: *** (Juror Number 0248). I was
12 charged with selling an alcoholic energy drink to a minor,
13 2008. And my son has a strong arm robbery charge due to
14 drug addiction.

15 THE COURT: Okay. How long ago was your son's
16 problem?

17 THE JUROR: He was in prison for five years, so
18 it has been 2008, 2009.

19 THE COURT: What jurisdiction did he get
20 convicted in?

21 THE JUROR: He went to Riverside. I guess it
22 was Chesterfield.

23 THE COURT: Thank you. Yes, sir?

24 THE JUROR: *** (Juror Number 0179). My wife's
25 half-brother broke in, he was on drugs and he broke in and

1 got shot during a burglary. Not much. And then he went
2 to prison and got paroled and later died of Hepatitis C
3 sustained from the gunshot wound he received.

4 THE COURT: Okay. How long ago was that?

5 THE JUROR: Over 25 years.

6 THE COURT: All right. Thank you. Yes, ma'am?

7 THE JUROR: *** (Juror Number 0212). My mother,
8 my sister, four aunts, and two uncles for felony drug
9 possession and felony shoplifting and my sister for
10 prostitution.

11 THE COURT: All right. How long ago was the
12 most recent drug involvement?

13 THE JUROR: My sister served a year and got out
14 last July.

15 THE COURT: All right. Thank you. Yes, sir?

16 THE JUROR: *** (Juror Number 0203). My
17 step-daughter had two charges from the same incident,
18 taking some pills, I think it was petit larceny, and
19 possession of a controlled substance. Both of those
20 charges have been dismissed.

21 THE COURT: Where did this take place.

22 THE JUROR: King George County.

23 THE COURT: All right, thank you.

24 THE JUROR: My father-in-law, he has two charges
25 right now, they are both in the courts. One is

1 trespassing and one was for taking his girlfriend's
2 vehicle, so I think it is considered grand larceny.

3 THE COURT: And this is father-in-law?

4 THE JUROR: Father-in-law, Westmoreland County,
5 the town of Colonial Beach.

6 THE COURT: Okay. Thank you. Yes, ma'am?

7 THE JUROR: My brother is in prison in the State
8 of Nevada.

9 THE COURT: Your name?

10 THE JUROR: *** (Juror Number 0494). My brother
11 is in prison in the State of Nevada for the sexual
12 exploitation and assault on a child.

13 THE COURT: All right. And he is in jail
14 serving a sentence or pending trial?

15 THE JUROR: No, he is serving a sentence.
16 Essentially, it is life. I think they said he could get
17 out in 2035, and he is 62.

18 THE COURT: Okay. Yes, sir?

19 THE JUROR: *** (Juror Number 0099). My
20 brother-in-law has been convicted of various drug
21 offenses, evading, felon with a firearm, and murder in the
22 second degree.

23 THE COURT: Okay. Where did these things
24 happen?

25 THE JUROR: The majority of the drug offenses

1 were in Arizona, and Alabama was drug and evading, and
2 then the felon with a firearm and the murder two were back
3 in Arizona.

4 THE COURT: How long ago was the murder?

5 THE JUROR: It just got adjudicated this April.

6 THE COURT: Okay. Thank you. Yes, sir?

7 THE JUROR: *** (Juror Number 0385). Just a
8 trespassing charge, like 1978.

9 THE COURT: That's all right. Yes, sir?

10 THE JUROR: *** (Juror Number 0410).

11 THE COURT: All right.

12 THE JUROR: I was convicted of DUI in September
13 of 2010.

14 THE COURT: What jurisdiction? Where did that
15 happen?

16 THE JUROR: It happened on 29th Street, Church
17 Hill.

18 THE COURT: So you went down to John Marshall
19 Courthouse?

20 THE JUROR: Yes, John Marshall.

21 THE COURT: Thank you. Yes, sir?

22 THE JUROR: *** (Juror Number 0010). My son was
23 charged with possession of a controlled substance in the
24 City of Richmond. He went to a diversion program. It has
25 since been expunged from his record.

1 THE COURT: Yes, ma'am?

2 THE JUROR: *** (Juror Number 0160).

3 THE COURT: Your answer?

4 THE JUROR: I had a brother that was charged
5 with drug possession, and a stepfather as well.

6 THE COURT: All right, Ms. ***, while I have you
7 up here, you put in your questionnaire that you had formed
8 an opinion, but you didn't tell us what the opinion was.

9 THE JUROR: Just because I knew about it from
10 the media. I've been reading a lot in the media about the
11 case. That's all.

12 THE COURT: But what opinion did that bring to
13 you?

14 THE JUROR: It brought that I was on the side of
15 the prosecutor.

16 THE COURT: Okay. That's what I thought. What
17 that means is, we are going to have to release you. But I
18 appreciate your coming. Absolutely. And thank you for
19 coming down. You are free to leave. Yes, sir?

20 THE JUROR: *** (Juror Number 0156).

21 THE COURT: Your answer?

22 THE JUROR: A niece convicted of robbery and
23 murder with a firearm.

24 THE COURT: Where did this happen?

25 THE JUROR: Philadelphia.

1 THE COURT: How long ago?

2 THE JUROR: Two or three years ago. And another
3 niece, driving under the influence of alcohol, murder.

4 THE COURT: And murder?

5 THE JUROR: Yes.

6 THE COURT: And how long ago was that?

11 THE JUROR: No.

12 THE COURT: All right. Thank you. Yes, sir?

13 THE JUROR: *** (Juror Number 0072). I had a
14 girl, she was sending me a threatening text in 2011. Put
15 her on a six-month Protective Order for it.

16 THE COURT: Anything else?

21 THE COURT: Thank you. Yes, sir?

22 THE JUROR: *** (Juror Number 0333). 0333.

23 THE COURT: Your answer?

24 THE JUROR: Charged with possession of
25 marijuana, 1986, Washington, D.C.

1 THE COURT: Okay. Thank you. Yes, sir?

2 Mr. *** (Juror Number 0273)?

3 THE JUROR: In about 1991 or 1992, I was charged
4 with DUI. The case was pled down to reckless driving.

5 This was in Medford, New Jersey. There was another one in
6 1998, I believe thereabouts, I was charged with. It was a
7 destruction of private property. It was dismissed. After
8 reviewing cameras, I was nowhere near. That was in
9 St. Louis, Missouri. And July of last year, I was
10 speeding in excess of 20 miles an hour over the speed
11 limit so the charge was, the officer told me, into the
12 lower level of a felony. The charge was dismissed. This
13 was in Chesterfield County.

14 THE COURT: Okay. Thank you. Yes, ma'am?

15 THE JUROR: *** (Juror Number 0066). I was
16 charged for disobeying a traffic light. I was on my way
17 going to work. The police officer said that I ran the red
18 light, which I don't believe, so I had to plead my case
19 and the judge sent me to school to get my certificate
20 because I have an excellent driving record.

21 THE COURT: Okay. Yes, sir?

22 THE JUROR: *** (Juror Number 0012). I have
23 three cousins who got charged with drug charges and one of
24 them got charged with having a weapon.

25 THE COURT: Where was this?

1 THE JUROR: Chicago. This is before I moved
2 here.

5 THE JUROR: He was convicted. He did 10 years.

6 THE COURT: So what Court was that, federal
7 court?

11 THE COURT: Thank you very much. Yes, sir?

12 THE JUROR: *** (Juror Number 0268).

13 THE COURT: Your last name?

14 THE JUROR: ***.

15 THE COURT: Your answer?

16 THE JUROR: Soliciting prostitution, failure to
17 appear.

18 THE COURT: Where was this?

19 THE JUROR: Petersburg, Virginia.

20 THE COURT: How long ago was that?

21 THE JUROR: That was 1996. Obstru

22 justice.

25 THE COURT. And when and where was that?

24 THE SHERIFF. That was Petersburg, Virginia.

25 Gray, and assault and battery of a family member.

1 THE COURT: Also Petersburg?

2 THE JUROR: Petersburg. DUI's, two DUI's.

3 THE COURT: Okay. When was the last problem
4 that you had, charge?

5 THE JUROR: DUI.

6 THE COURT: How far does the obstruction of
7 justice go back?

8 THE JUROR: 2001, I believe.

9 THE COURT: Okay. Thank you. Yes, ma'am?

10 THE JUROR: *** (Juror Number 0455).

11 THE COURT: All right. Your answer?

12 THE JUROR: I have an uncle that was
13 incarcerated with the City of Richmond. A cousin also,
14 City of Richmond, I think that was federal time, though.

15 THE COURT: Do you know what your uncle was
16 charged with?

17 THE JUROR: I know one of the charges was a
18 felony. Another one was panhandling. It was quite a few
19 things. I'm not sure of them all. I know he did some
20 time.

21 THE COURT: Who was the other relative, a
22 cousin?

23 THE JUROR: Yes, sir.

24 THE COURT: What was the cousin charged with?

25 THE JUROR: I know that had to do with drugs,

1 but that was also federal time. And my son. That was
2 juvenile in Colonial Heights and Chesterfield County.

3 THE COURT: What was he charged with?

4 THE JUROR: Theft, and I think that was it,
5 theft.

6 THE COURT: Okay. Do you know what happened
7 with your uncle and cousin? Did you go to court or
8 anything like that?

9 THE JUROR: I did not.

10 THE COURT: All right. Fine. Thank you. Yes,
11 ma'am?

12 THE JUROR: *** (Juror Number 0407). Son and
13 three grandsons.

14 THE COURT: Let's start with your son. Do you
15 know what he was charged with?

16 THE JUROR: Assault.

17 THE COURT: And where was that and how long ago
18 was it?

19 THE JUROR: It has been about maybe five years
20 ago.

21 THE COURT: Now your grandsons?

22 THE JUROR: Okay. One, that was in North
23 Carolina. That was assault. The other grandson, drugs.

24 THE COURT: Where was that?

25 THE JUROR: Here.

1 THE COURT: Richmond. Is that it?

2 THE JUROR: Grandson, guns. He is still locked
3 up.

4 THE COURT: That was here?

5 THE JUROR: Uh-huh. And a husband. There is
6 more, but that's enough.

7 THE COURT: But your husband, what charge was
8 that?

9 THE JUROR: Robbery.

10 THE COURT: How far does that go back?

11 THE JUROR: As far as I know, he is still in
12 there.

13 THE COURT: Still incarcerated?

14 THE JUROR: Uh-huh, as far as I know.

15 THE COURT: Okay. Yes, sir?

16 THE JUROR: *** (Juror Number 0050). My partner
17 and I were wrongly arrested in New Orleans in 2008,
18 charged with resisting arrest, disorderly conduct, and I
19 had an additional flight charge. His charges were
20 dropped. I pled no contest.

21 THE COURT: All right. You said you pled no
22 contest?

23 THE JUROR: Yes, sir.

24 THE COURT: And what was your sentence?

25 THE JUROR: No sentence. Everything could have

1 been expunged if I had paid the state more money.

2 THE COURT: All right, fine. Thank you very
3 much. Yes, sir?

4 THE JUROR: *** (Juror Number 0003).

5 THE COURT: This is Mr. Scott. What's your
6 answer?

7 THE JUROR: Oh, it was, what they call it, being
8 on public property with an open container?

9 THE COURT: Okay.

10 THE JUROR: The judge threw it out because the
11 cop, he said he didn't see me set it down. And then the
12 judge asked him, "Well, did you check the temperature of
13 the contents of the can to see approximately how long it
14 had been there?" Because it was in the summertime, about
15 94 degrees. He told him no, he did none of that. So the
16 judge told him he had to throw it out.

17 THE COURT: Anything else?

18 THE JUROR: No, that's it.

19 THE COURT: Thank you. Yes, sir?

20 THE JUROR: *** (Juror Number 0390).

21 THE COURT: Okay. Your answer?

22 THE JUROR: My wife and my daughter were charged
23 with marijuana possession.

24 THE COURT: How long ago was this?

25 THE JUROR: My wife, about almost 20 years.

1 THE COURT: Okay.

2 THE JUROR: My daughter, about four years.

3 THE COURT: And what jurisdictions?

4 THE JUROR: New Kent County.

5 THE COURT: All right. Thank you. Yes, sir?

6 THE JUROR: *** (Juror Number 0161). My
7 daughter was charged with public intoxication in 2011.

8 THE COURT: Where was this?

9 THE JUROR: Radford.

10 THE COURT: Okay.

11 THE JUROR: My son was charged with possession
12 of marijuana, 2012. The charges were dropped.

13 THE COURT: Okay, thank you. Yes, sir?

14 THE JUROR: *** (Juror Number 0368), Your Honor.

15 THE COURT: All right. Your answer?

16 THE JUROR: In the fall of 2009 I was charged
17 with a possession of marijuana charge, and it was later
18 dropped because I agreed to the terms of my probation
19 which I followed then, so it was later on dropped, but I
20 just wasn't sure because you said charged.

21 THE COURT: I appreciate your candor.

22 THE JUROR: Sure, no problem. Yes, sir?

23 THE JUROR: *** (Juror Number 0124). I had a
24 nephew about eight years ago, he got stopped up in
25 Harrisonburg or Fredericksburg, somewhere up there,

1 concealed weapon without a permit.

2 THE COURT: Carrying a concealed weapon?

3 THE JUROR: Yes, sir.

4 THE COURT: Do you know what happened with it?

5 THE JUROR: I think they put him on probation
6 and I think they suspended his license a couple of months.

7 THE COURT: Okay. Yes, sir?

8 THE JUROR: *** (Juror Number 0111). And my son
9 was brought up on DUI charges about 18 years ago when he
10 was a senior in high school.

11 THE COURT: Okay. Yes, sir?

12 THE JUROR: My name is *** (Juror Number 0398).
13 I was charged or convicted of misdemeanor assault more
14 than 15 years ago.

15 THE COURT: Is that it?

16 THE JUROR: Yes, sir.

17 THE COURT: Thank you. Yes, sir?

18 THE JUROR: *** (Juror Number 0337).

19 THE COURT: Your answer?

20 THE JUROR: DUI.

21 THE COURT: Where did it happen and how long
22 ago?

23 THE JUROR: Chesterfield County, and the
24 conviction was September 23rd, 2011.

25 THE COURT: Thank you. Yes, sir?

1 THE JUROR: *** (Juror Number 0185). I have a
2 juvenile misdemeanor that I noted on the questionnaire, it
3 was Stafford County. I think technically it was called
4 using a projectile too close to a highway or something to
5 that effect. Basically a bunch of friends with BB guns
6 getting in trouble.

12 THE COURT: Okay. Where did the manslaughter
13 happen?

14 THE JUROR: Here in Richmond.

15 THE COURT: How long ago was that?

16 THE JUROR: About seven years ago. Six, seven
17 years ago.

18 THE COURT: And then the rape?

19 THE JUROR: Six years ago.

20 THE COURT: That was here in Richmond as well?

21 THE JUROR: Yes. Yes, sir?

22 THE JUROR: *** (Juror Number 0281). I have a
23 brother-in-law that was charged with, charged and
24 convicted of assault and served maybe five days in jail.
25 And back when I was young and stupid, I had a possession

1 of marijuana charge in 1977, I guess it was.

2 THE COURT: Thank you. Yes, sir?

3 THE JUROR: *** (Juror Number 0450). I don't
4 know if this is about me or a family member, but my
5 brother was the victim of a drive-by shooting. It was
6 2003 in Washington, D.C. They never convicted anybody of
7 the crime.

8 THE COURT: All right, thank you. Yes, sir?

9 THE JUROR: *** (Juror Number 0187).

10 THE COURT: Your answer?

11 THE JUROR: My nephew, drug activity, and my
12 grandson. That's it.

13 THE COURT: Grandson, drugs?

14 THE JUROR: Drug activity.

15 THE COURT: And where did they have these
16 problems, in Richmond or somewhere else?

17 THE JUROR: In Richmond.

18 THE COURT: And when was the --

19 THE JUROR: I can't tell you the time. I can't
20 tell you the month or nothing.

21 THE COURT: All right. Thank you.

22 I guess that's it. Thank you.

23 (In Open Court.)

24 Does any member of the jury panel have any special
25 physical disability that would make it difficult or

1 impossible for you to serve as a juror in this case? Come
2 on up.

3 (At Bench.)

4 THE COURT: Yes, ma'am?

5 THE JUROR: *** (Juror Number 0184). 0184.

6 MR. ASBILL: I think we have already --

7 THE COURT: What was it?

8 THE JUROR: They told me to tell you, I had a
9 fall on July 2nd, and I have had a problem with my knee,
10 and I've been in a brace until last Friday. And then the
11 doctor said I needed physical therapy, and he said for me
12 to tell you all that I needed physical therapy.

13 THE COURT: I'm going to go ahead and excuse
14 you. You are free to leave.

15 THE JUROR: Thank you.

16 THE COURT: Yes, sir?

17 THE JUROR: I was just recently treated for an
18 acoustic neuroma brain tumor.

19 THE COURT: Give me your name again.

20 THE JUROR: *** (Juror Number 0151).

21 THE COURT: Your say recently treated for a
22 brain tumor?

23 THE JUROR: Brain tumor, radiation treatment.

24 Pretty much lost most of the hearing in my left ear. My
25 balance is real bad, too.

1 THE COURT: Okay. And do you have any treatment
2 going forward?

3 THE JUROR: No, just the one-time radiation
4 treatment for that tumor.

5 THE COURT: And --

6 THE JUROR: What happens is, after the tumor
7 starts swelling, you start losing more of your hearing.
8 That's it right now.

9 THE COURT: It is progressing?

10 THE JUROR: The last three weeks it has been
11 getting progressively worse, the hearing loss and the
12 balance.

13 THE COURT: All right.

14 (Juror left Bench.)

15 I'm going to let Mr. *** (Juror Number 0151) go.
16 Any problem with that?

17 MR. ASBILL: No objection.

18 MR. DRY: No, sir.

19 THE COURT: You can be excused.

20 THE JUROR: Thank you.

21 THE COURT: Yes, ma'am?

22 THE JUROR: *** (Juror Number 0209). I have a
23 bad back and restless legs. If you don't make me sit
24 still too long, it's okay, but it will be up to you.

25 THE COURT: This is what we do. I never go past

1 two hours. It is usually one-and-a-half hours. Because
2 you understand, I'm on Medicare.

3 THE JUROR: I understand. I just want you to
4 know I get jumpy every now and then.

5 THE COURT: All right, we will check it.

6 THE JUROR: Thank you.

7 THE COURT: Yes, sir?

8 THE JUROR: *** (Juror Number 0410). I have
9 diabetes, take a thousand milligrams twice a day.

10 THE COURT: You are taking?

11 THE JUROR: Thousand milligrams of Metformin
12 twice a day.

13 THE COURT: You are on the pill form?

14 THE JUROR: Yes. High blood pressure and a few
15 other little things.

16 THE COURT: All right. Are you on the high
17 blood pressure medicine as well?

18 THE JUROR: Yes, three pills.

19 THE COURT: If you know, which pills are you
20 taking?

21 THE JUROR: Lotrel --

22 THE COURT: Norpine?

23 THE JUROR: Norpine, yes. I'm trying to
24 remember the other one. One for the low number and two
25 for my high number. I can't think of them right now.

1 THE COURT: How long have you been on them?
2 THE JUROR: Since 2000.
3 THE COURT: Okay. And how often do you take it?
4 Do you take some blood pressure medicines in the morning?

5 THE JUROR: In the morning, yes, once in the
6 morning. And the diabetes medicine, I take one in the
7 morning and nighttime before I go to bed.

8 THE COURT: How are you with sitting in one
9 place for long periods of time?

10 THE JUROR: Oh, I stretch from time to time, you
11 know. I done had two setbacks, you know, diabetic
12 seizures.

13 THE COURT: You have had seizures?

14 THE JUROR: Yes. The first time I wound up in
15 the hospital. Couple of times, I skipped some meals, I
16 had another setback. One time I was driving my brother,
17 he grabbed the wheel from me.

18 THE COURT: Okay. Why don't you have a seat.
19 We will let you know something in a minute.

20 THE JUROR: Thank you.

21 (Juror left Bench.)

22 I don't really think we ought to take a chance
23 on him. With his medications, he is probably okay, but
24 any little slip, he is off the ledge. So --

25 MR. DRY: Government doesn't have any objection,

1 Judge.

2 MR. ASBILL: No objection.

3 MR. BURCK: No objection.

4 THE COURT: All right.

5 THE COURT: Mr. *** (Juror Number 0410), would
6 you come back up for a second? Mr. ***, we have decided
7 to go ahead and excuse you, let you go. You've got some
8 physical problems and you need to take care of them. You
9 may leave now.

10 THE JUROR: Thank you.

11 THE COURT: Yes, ma'am?

12 THE JUROR: My name is *** (Juror Number 0358).
13 I fell on my knee about a week-and-a-half ago. I have an
14 appointment with Dr. Shaia tomorrow afternoon, late in the
15 afternoon. I can still walk, but it is still bothering
16 me.

17 THE COURT: You fell and hurt your knee?

18 THE JUROR: Yes. So I have an appointment
19 tomorrow afternoon to see if I need a brace, I don't even
20 know what.

21 THE COURT: What time is your appointment
22 tomorrow?

23 THE JUROR: 4:20. When I called last week they
24 said just call them back and they will try to work with me
25 if I had to be in tomorrow. But I didn't want to wait any

1 longer.

2 THE COURT: I think we can work with you
3 tomorrow if in fact you get on the jury.

4 THE JUROR: Can I ask you one more question?
5 Are you going to call us up for any other reasons?

6 THE COURT: Yes, that's a possibility.

7 THE JUROR: I have a daughter getting married in
8 October and I just didn't want to miss it.

9 THE COURT: Well, I tell you, the deal with that
10 is, I can't even imagine we would be in this case in
11 October. And if we are, I will be insane by then. So I
12 don't think that's going to happen.

13 THE JUROR: I just wanted to make sure.

14 THE COURT: You know, if by some -- if something
15 horrible happened and we ended up clashing with that
16 wedding in October, we have an alternate. We are not
17 going to let that happen. Yes, sir?

18 THE JUROR: *** (Juror Number 368). I just want
19 to let you know, I do actually have some difficulties,
20 like a few learning disabilities that keep me from
21 remembering certain aspects. And sometimes I have a hard
22 time focusing.

23 THE COURT: Are you on any medications or have
24 you been on?

25 THE JUROR: I have been on stuff like Adderall

1 and stuff in the past, Ritalin stuff. But now I'm
2 actually just on antidepressants for OCD. But I just
3 wanted to let you know.

4 THE COURT: I appreciate it. I have a few more
5 questions for you. How often do you take your medication?

6 THE JUROR: Once a day.

7 THE COURT: Morning or night?

8 THE JUROR: Night.

9 THE COURT: Any lethargy on one hand, or fidgety
10 kind of behavior?

11 THE JUROR: More so fidgety, I would say. I
12 definitely tend to get fidgety at times.

13 THE COURT: Well, this is going to require a lot
14 of sitting around and focusing. And you know yourself
15 better than anybody else. This will be for weeks. Do you
16 think you will be able to do that?

17 THE JUROR: To be honest, Your Honor, I couldn't
18 tell you. It is definitely not a guarantee. I probably
19 would find myself, you know, pretty fidgety.

20 THE COURT: Well, I'm leaning toward excusing
21 you. Anybody with any problem?

22 (All counsel indicated in the negative.)

23 THE COURT: Mr. Douglas, you may be excused.

24 THE JUROR: Thank you. I appreciate it.

25 THE COURT: All right, that's it for now. We

1 will be back in a minute.

2 (In Open Court.)

3 Does any member of the panel harbor any bias or
4 prejudice which would prevent you from sitting as a fair
5 and impartial juror in this case?

6 Are you aware of any reason why you could not
7 sit on this jury and render a fair verdict based on the
8 evidence presented and in the context of the Court's
9 instructions on the law?

10 Does any member of the jury panel own any stock
11 in this company, Star Scientific, Inc.?

12 Now, I notice that a number of you work for
13 Capital One, Verizon, Dominion Resources. That's not
14 unusual. They are big employers. But the question I
15 have, when you came in this morning, do you know any other
16 members of the jury panel? As you came in, do you work
17 with somebody else, do you know somebody else on the jury
18 panel? Okay. Let's get these. Yes, ma'am, your name?

19 THE JUROR: *** (Juror Number 0117).

20 THE COURT: Who is it that you know?

21 THE JUROR: *** (Juror Number 0453).

22 THE COURT: How do you know her?

23 THE JUROR: We work together.

24 THE COURT: All right. Ms. *** (Juror Number
25 0453), you are standing up someplace? Okay. And you work

1 with Ms. *** (Juror Number 0117). Any others that you
2 know on the jury panel?

3 THE JUROR: Not that I know of, no.

4 THE COURT: You two can be seated. Yes, ma'am?

5 THE JUROR: I know *** (Juror Number 0005).

6 THE COURT: Ms. *** (Juror Number 0039)?

7 THE JUROR: Yes, sir.

8 THE COURT: You know Mr. *** (Juror Number
9 0005). Do you know anybody else in the jury panel, the
10 two of you?

11 THE JUROR: No.

12 THE COURT: Thank you. You all can have a seat.
13 You all know each other from work, Ms. *** (Juror Number
14 0039); is that right?

15 THE JUROR: We are like neighbors.

16 THE COURT: Okay. Yes, sir?

17 THE JUROR: *** (Juror Number 0108). I know
18 Mr. *** (Juror Number 0487) back here.

19 THE COURT: How do you know Mr. *** (Juror
20 Number 0487)?

21 THE JUROR: I've known him for quite a few years
22 when we were all involved in Cub Scouts and Boy Scouts
23 together.

24 THE COURT: Okay. Mr. *** (Juror Number 0487),
25 where are you? Do you know anyone else besides this

1 gentleman?

2 THE JUROR: My wife knows Mr. *** (Juror Number
3 0281).

4 THE COURT: Your wife knows Mr. *** (Juror
5 Number 0281). Thank you. Yes, sir?

6 THE JUROR: *** (Juror Number 0185). I am a
7 co-worker of *** (Juror Number 0338).

8 THE COURT: All right. You two can have a seat.
9 Yes, sir?

10 THE JUROR: My name is *** (Juror Number 0278).
11 I know *** (Juror Number 0234). Our two companies used to
12 be in the same location and we worked together.

13 THE COURT: Mr. *** (Juror Number 0278) and
14 Mr. *** (Juror Number 0234). All right, thank you. You
15 all can have a seat. Mr. *** (Juror Number 0281)?

16 THE JUROR: I knew Mr. *** (Juror Number 0179)
17 from working at the Fed. I've since retired.

18 THE COURT: Okay. All right, yes, sir?

19 THE JUROR: *** (Juror Number 0185). I work
20 with Mr. *** (Juror Number 0398). Also, Mr. *** (Juror
21 Number 0450) is my uncle.

22 THE COURT: Okay. This will take a while. You
23 work with Mr. *** (Juror Number 0398), and who is your
24 uncle?

25 THE JUROR: *** (Juror Number 0450).

1 THE COURT: All right. Thank you. You all can
2 have a seat. Yes, ma'am?

3 THE JUROR: My name is *** (Juror Number 0101).
4 And I babysit/house sit and taught his daughters to swim
5 for *** (Juror Number 0273).

6 THE COURT: Okay. Ms. *** (Juror Number 0101)
7 babysits for Mr. Healey. You all have a seat. Yes,
8 ma'am?

9 THE JUROR: *** (Juror Number 0362). I am a
10 really close friend of *** (Juror Number 0382). She is my
11 son's teacher.

12 THE COURT: Okay. This is *** (Juror Number
13 0362).

14 THE JUROR: Yes.

15 THE COURT: And Ms. *** (Juror Number 0382).
16 All right. Thank you. You all can have a seat. Yes,
17 sir?

18 THE JUROR: *** (Juror Number 0333). And ***
19 (Juror Number 0336) and I have a mutual acquaintance, not
20 necessarily a working relationship.

21 THE JUROR: *** (Juror Number 0336). Our wives
22 went to high school together. We know each other
23 socially.

24 THE COURT: All right.

25 ///

1 THE COURT: All right, *** (Juror Number 0432).

2 THE JUROR: Yes, sir. I've known Ms. Hawkes for
3 over 20 years. We attended high school.

4 THE COURT: Okay. What's your name?

5 THE JUROR: *** (Juror Number 0386).

6 THE COURT: *** (Juror Number 0386).

7 THE JUROR: Yes, sir.

8 THE COURT: All right, *** (Juror Number 0432).

9 All right. Thank you. You all can have a seat.

10 All right. I think Mr. *** (Juror Number 0210)
11 has already answered this question, but let me ask this
12 again. Has any member of the jury panel ever been
13 appointed to a board, a commission or a job by a governor
14 of the Commonwealth of Virginia?

15 Two of the products that may be discussed in
16 this case are Anatabloc, which is a dietary supplement
17 produced by Star Scientific, and CigRx, a smoking
18 cessation product produced by Star Scientific as well.
19 Have you or a family member or close friend ever used
20 Anatabloc or CigRx?

21 All right. Does counsel for either side have
22 any additional voir dire questions? I'll hear you at the
23 bench.

24 Okay. *** (Juror Number 0364).

25 THE JUROR: Right here.

1 THE COURT: Okay. We just have a message for
2 you.

3 All right. Just give her that note.

4 All right. Let's hear from you all.

5 (At Bench.)

6 MR. ASBILL: Judge, I've given them a copy.

7 Here are the general questions that I thought about.

8 MR. DRY: Judge, can we be heard on this?

9 Mr. Asbill has raised the issue of pretrial publicity in
10 this case and he's at least expressed to me his opinion
11 that if the Court does not ask each and every person that
12 ever heard about this.

13 The government doesn't believe that that is the
14 case. However, in an abundance of caution, at least for
15 those individuals that have said that they have very
16 closely or somewhat closely followed the case, it might be
17 advisable for us to do some limited inquiry or bring them
18 up or something so that there's no issue on the record,
19 unless Mr. Asbill has changed his position on this.

20 THE COURT: Well, I mean, I appreciate his
21 position, but that's not the Court's position. Look, they
22 answered the questionnaire closely, and then they went on
23 to answer questions that without giving us some pause or
24 not. If it didn't, then what I would do with these
25 questions is try to determine if anything has happened

1 since the questionnaires. I mean, I will ask the question
2 so that we can see if there are -- anybody responds to,
3 you know, having discussions or anything that happened.

4 MR. DRY: Let me be clear. That's satisfactory
5 to the government. Mr. Asbill --

6 THE COURT: Mr. Asbill can speak for himself.
7 But if that's his position, that's fine. But in terms of
8 what I'm going to do here, I'm not going to do what you
9 suggest. I'm just not going to do it.

10 MR. ASBILL: Well, Judge, the reason I'm asking
11 for much more inquiry with respect to pretrial publicity
12 is this. For example, one of the jurors said that she
13 hadn't followed the case at all, and so -- she said barely
14 at all, and then we checked after that, all the resources
15 that she said had said things about the case. So there's
16 some confusion. It's very subjective, number one.

17 Number two, if anybody sees a news article or
18 watches one program that really makes an impact, the fact
19 that they haven't watched it multiple times or seen a lot
20 of publicity about it, that can't make an indifference if
21 they have an indelible impression from one source. That
22 is a problem. A lot of these people have expressed --
23 have not come forward when you asked the general question
24 about is there any reason why you could not be fair. We
25 have a list of folks that we think should be stricken for

1 cause, some of which -- for example, classic example is,
2 0154 followed the case very closely, expressed an opinion
3 there are no honest politicians and governor should have
4 known. And that person did not answer the question about
5 do you have any bias or problems that would impact your
6 ability to be fair.

7 So -- and my position is that if somebody is
8 exposed to pretrial publicity, they have to be
9 individually voir dire, and I have a list of questions
10 I'd like to give to the Court that I think they should be
11 asked.

12 THE COURT: Okay. Well, you can provide the
13 questions. It's the other way around to strike for cause
14 those people without asking questions. If we think they
15 are -- well, what you're -- I mean, what is -- this is
16 what you're going to have to do. You're going to have to
17 identify specifically the people that you think should be
18 struck for cause, and the Court will make an assessment of
19 that based on information that we have. I'm not asking
20 these questions. I'm not going to do it.

21 As I say, I'll do something in my invention.
22 All right. Anything else?

23 MR. DRY: No, Your Honor.

24 THE COURT: All right. Thank you. You all can
25 have a seat.

1 MR. HARBACH: Just a reminder about the Quinn
2 Emanuel question.

3 THE COURT: I'm sorry. About the Quinn Emanuel
4 question. Sure.

5 (In Open Court.)

6 THE COURT: I asked you all earlier about any
7 connections to the law firms representing Mr. McDonnell
8 and I did not ask you about the law firm representing
9 Ms. McDonnell, Quinn Emanuel.

10 So let me ask you those same questions. As far
11 as you know, have you or any member of your family ever
12 been represented by the law firm of Quinn Emanuel in
13 Washington, D.C.?

14 And as far as you know, have you or any member
15 of your family ever been represented by any of these
16 lawyers individually who are representing Ms. McDonnell?

17 All right. Obviously, this case has generated
18 a lot of media interest and there have been quite a few
19 newspaper articles, radio and television media items
20 relating to this case and the parties involved. And I'm
21 sure that most of you have read in the newspaper or seen
22 on television or heard on the radio, at least once, some
23 of these media items or news stories. So the first thing
24 I want you to do is if you have read, heard or seen
25 something in the media, I want you to stand up for me,

1 please.

2 All right. I've got a couple questions for --
3 obviously, this is going to take a while. Now, let me ask
4 you this general question. I may have some questions for
5 you at the bench. Based on what you have heard or read or
6 seen relating to this case, if you are, in your mind, able
7 to put aside whatever it is that you've heard, listen to
8 the evidence in this case and be fair to both sides, then
9 I want you to sit down. All right.

10 All right. Mr. Asbill, would you please --
11 would you all come here?

12 (At Bench.)

13 THE COURT: All right. If you've got a list of
14 specific folks, because I'm satisfied with these -- the
15 responses, but if you got specific folks who we need to
16 look at specific responses, let me know.

17 MR. ASBILL: Can I just make a record on this
18 question, this particular question?

19 THE COURT: Sure.

20 MR. ASBILL: I understood that everybody said
21 they could be put aside. I can't trust the credibility of
22 that without a further inquiry and I can't make any
23 judgments or arguments to you without any further inquiry.
24 Specifically people who have expressed opinion about the
25 case, 455, *** (Juror Number 0455).

1 THE COURT: Okay. Wait a minute. Let me get my
2 list out here. You said 455?

3 MR. ASBILL: 455, *** (Juror Number 0455).

4 Indicated on question 86 she has expressed an opinion
5 about the case.

6 THE COURT: Question 86. Okay.

7 MR. ASBILL: 187, *** (Juror Number 0187).

8 Indicates in question 84 that he has followed the case
9 very closely from multiple news sources.

10 THE COURT: Just give me the number again.

11 MR. ASBILL: 086 -- excuse me. I'm sorry.
12 0187.

13 THE COURT: 0187.

14 MR. ASBILL: Right, and then question 84 and
15 question 86, followed the case very closely, multiple news
16 sources and has formed an opinion of guilt.

17 THE COURT: Well, I'll take a look, but I went
18 through these things with a fine-tooth comb and he didn't
19 even register on my list, but okay. I'll take a look.

20 *** (Juror Number 0187).

21 MR. ASBILL: All right. 0200, *** (Juror Number
22 0200).

23 THE COURT: 0200? Okay. And what was the
24 number on Ms. *** (Juror Number 0455) again?

25 MR. ASBILL: 0455.

1 THE COURT: 0455.

2 Okay. Now, 0200. What's her name?

3 MR. ASBILL: *** (Juror Number 0200).

4 THE COURT: Okay. She discussed it with her
5 husband.

6 MR. ASBILL: Well, has received news from
7 multiple sources and then has expressed, in question 86,
8 extreme negative opinions or conclusions about the
9 defendants.

10 THE COURT: Okay. All right. Next.

11 MR. ASBILL: 220, 0220, *** (Juror Number 0220).
12 Questions 85 and 86. Multiple news sources. Formed
13 opinion. Reached conclusion about guilt. They both
14 should know gift limits.

15 THE COURT: Okay. I will do that. Next.

16 MR. ASBILL: 452 is *** (Juror Number 0452).
17 Question 85, multiple news sources. And 86, formed an
18 opinion, morally and ethically wrong.

19 THE COURT: 0452. Okay. I have that one too.
20 I actually have that one too. All right.

21 MR. ASBILL: 0229, Ms. *** (Juror Number 0229),
22 who is at the AG's Office. I'm not sure what the opinion
23 is, but what I want to raise with you about the publicity
24 is that she apparently has discussed the indictment with
25 her students and they have conducted some sort of a mock

1 trial about the case.

2 THE COURT: Okay. VCU class. Discussed the
3 indictment.

4 MR. ASBILL: I thought it said something about
5 mock.

6 154, *** (Juror Number 0154). That's the one
7 following the case. That's the one I talked about before
8 has followed the case before, expressed the opinion there
9 are no honest politicians. The governor should have
10 known.

11 THE COURT: The governor should know the limit
12 on gifts. Okay.

13 MR. ASBILL: 0190, *** (Juror Number 0154). I'm
14 sure he can follow your instructions. He followed the
15 case very closely. Multiple news sources. Had
16 discussions about the case and people have expressed and
17 formed opinions in his discussions. He's also an active
18 democratic campaign person.

19 MR. DRY: Are we talking about pretrial
20 publicity or --

21 MR. ASBILL: Well, I want to go for further --

22 THE COURT: I'll just limit it right now to
23 pretrial publicity.

24 MR. DRY: Okay.

25 THE COURT: Those are the ones that were most

1 problematic.

2 All right. We'll bring them up here.

3 (In Open Court.)

4 THE COURT: *** (Juror Number 0455). If you
5 would come up to the bench for us, please.

6 (At Bench.)

7 THE COURT: Just come up. Just one second.

8 THE JUROR: Okay.

9 MR. DRY: Judge, we have the questionnaire right
10 here. On 86 it was no.

11 THE COURT: Mr. Asbill?

12 MR. ASBILL: I'm just going to take a look for a
13 second. Sorry.

14 THE COURT: Okay. I didn't see anything.

15 I'm sorry, ma'am. We thought there was
16 something on your questionnaire. So you can have a seat.

17 THE JUROR: Thank you.

18 (In Open Court.)

19 THE COURT: Okay. *** (Juror Number 0187).

20 Number 84.

21 (At Bench.)

22 MR. DRY: Here's the full question there, sir.

23 84 is the last page or right there.

24 THE COURT: Okay. Mr. *** (Juror Number 0187).

25 Let me ask you, you indicated that you followed the case

1 very closely and we just want to explore that a little
2 bit.

3 THE JUROR: Explain it to you? Oh, well, I
4 followed it ever since it hit the paper because, I mean, I
5 stay up on news and stuff that goes on, the news.

6 THE COURT: Okay.

7 THE JUROR: And I may -- I read whatever -- the
8 paper all the time.

9 THE COURT: Okay. Have you formed any opinion
10 about the guilt or innocence of these folks?

11 THE JUROR: Well, it's kind of hard to point an
12 opinion now and tell you how the trial has been bearing on
13 because it's been known that some things in the paper
14 can't be true. I give you my opinion. It's an opinion.
15 You can't believe everything people say. You have to sit
16 around and judge for your own self because the news can
17 influence you to go do different things. So what I do, I
18 have my own opinions on it. That's why I told them I
19 didn't know if he was guilty or not until I hear all the
20 evidence.

21 THE COURT: That's good enough for me. You can
22 have a seat.

23 THE JUROR: All right.

24 (In Open Court.)

25 THE COURT: *** (Juror Number 0200).

1 (At Bench.)

2 MR. DRY: Thank you, sir. Would you like this
3 one?

4 THE COURT: Makes it easy for me.

5 THE JUROR: Yes, sir.

6 THE COURT: Okay, Ms. *** (Juror Number 0200).
7 Let's see. Okay, Ms. *** (Juror Number 0200). You
8 indicated that you had a discussion about what you had
9 heard about the case with your husband.

10 THE JUROR: Uh-huh.

11 THE COURT: Obviously, that's natural. There's
12 nothing wrong with that.

13 THE JUROR: Right.

14 THE COURT: We just wanted to explore the nature
15 of that conversation. Did you all -- did you or your
16 husband have some opinion about the guilt or innocence of
17 the people charged?

18 THE JUROR: No, not exactly. He usually brings
19 it up before I do because he's really into watching CNN
20 and everything. So he like brought up the situation. But
21 I don't remember ever saying one way or the another
22 whether they were guilty or not guilty.

23 THE COURT: Based on everything you've heard,
24 even the discussions with your husband, you still feel
25 that you would be able to be fair to both sides in this

1 case?

2 THE JUROR: Yes, sir.

3 THE COURT: Okay. Thank you.

4 All right. Thank you.

5 THE JUROR: Uh-huh.

6 (In Open Court.)

7 THE COURT: *** (Juror Number 0220).

8 (At Bench.)

9 THE COURT: Come on up here.

10 MR. DRY: It's fine, ma'am. Come up there.

11 There you go.

12 THE COURT: We just wanted to explore with you a
13 little closer something you put in the questionnaire. And
14 I'll just read it here. It says "I" -- I can't read the
15 second word -- "thought that they should know the limits
16 of the law related to gifts."

17 Now --

18 THE JUROR: That was just my thought. I don't
19 know if it's -- if it's evidence or, you know, there's
20 evidence to that effect.

21 THE COURT: Okay. And you expressed this to
22 your husband; is that --

23 THE JUROR: No.

24 THE COURT: It's just your thought?

25 THE JUROR: No. It's just my thought.

1 THE COURT: And is that a thought based on what
2 you heard on the news?

3 THE JUROR: On the news. And I have not watched
4 any news or read anything since.

5 THE COURT: Since this?

6 THE JUROR: Since receiving the summons, right.

7 THE COURT: Okay. Now, I want you to search
8 your heart and your mind. As you stand here now, do you
9 feel that you can be fair and impartial to both sides, put
10 aside anything that you --

11 THE JUROR: Yes, because the evidence has to be
12 given here.

13 THE COURT: Okay. All right. Thank you.

14 THE JUROR: Uh-huh.

15 (In Open Court.)

16 THE COURT: *** (Juror Number 0452).

17 (At Bench.)

18 THE JUROR: Yes, sir.

19 THE COURT: Yes, ma'am. We just wanted to
20 explore with you a little closer something you said in
21 your questionnaire.

22 THE JUROR: Okay.

23 THE COURT: You indicated that you had
24 conversations with friends and co-workers and your
25 opinion, maybe not technically something in the law, but

1 ethically wrong. But that's what you heard in the
2 newspaper and discussions with friends.

3 THE JUROR: Basically that I don't know
4 whether -- the rule of law. I don't know whether laws
5 were broken. That's what this is about. I do feel like
6 they knew that they were doing something that wasn't quite
7 right, and that was my opinion.

8 THE COURT: Okay. And that's your opinion
9 today?

10 THE JUROR: I'm willing to give them -- I mean,
11 I'm willing to listen to everything. Like I said, I know
12 that the rule of law -- I don't know what it is, and that
13 is what this case is based on.

14 THE COURT: Okay. All right. You can have a
15 seat.

16 THE JUROR: Thank you.

17 THE COURT: Ms. *** (Juror Number 0452) is out.
18 I'm taking her out. Okay. *** (Juror Number 0452) is out
19 for cause.

20 MR. DRY: Mr. Asbill, you don't object?

21 (In Open Court.)

22 THE COURT: *** (Juror Number 0229).

23 (At Bench.)

24 MR. DRY: Judge, this is 87. Discussed it in
25 the classroom at VCU.

1 THE COURT: Come on up, Ms. *** (Juror Number
2 0229). How are you doing?

3 THE JUROR: Fine.

4 THE COURT: We wanted to just explore with you a
5 little bit more something that you put in the
6 questionnaire, and you talked about your class at VCU
7 having a discussion. Describe that for me. What went on?

8 THE JUROR: I showed them the indictment, and we
9 were talking about the difference between state and
10 federal jurisdiction and the difference between civil and
11 criminal. It was used as an example for them.

12 THE COURT: And was there any exploring with the
13 students for their opinions as to guilt or innocence?

14 THE JUROR: No. No. It was just what the
15 indictment said. They were undergraduates. So I was just
16 illustrating jurisdictions, state versus federal.

17 THE COURT: State versus federal.

18 THE JUROR: Criminal versus -- just criminal.

19 THE COURT: Is there anything about what
20 happened there at VCU and any other media items you might
21 have reviewed that would prevent you from being fair to
22 both sides in this case?

23 THE JUROR: I don't think so.

24 THE COURT: Okay.

25 THE JUROR: I haven't been listening since I got

1 the summons. So --

2 THE COURT: So you followed the direction of the
3 Court?

4 THE JUROR: Yes. I just covered my ears like
5 that.

6 THE COURT: All right. Thank you very much.

7 THE JUROR: Uh-huh.

8 (In Open Court.)

9 THE COURT: *** (Juror Number 0154).

10 (At Bench.)

11 THE COURT: All right. Let me see what we have
12 here. Okay. Ms. *** (Juror Number 0154), we just wanted
13 to explore with you something that you had in your
14 questionnaire just to see what it was about. Question
15 number 86, you had conversation with friends and then you
16 said that -- that you weren't sure -- something -- such a
17 thing as an honest politician and then you -- it sounds
18 like a lament to me, "The governor will not be remembered
19 for whatever good he's done but for what he's accused of."
20 Now, we just want to understand what you were talking
21 about.

22 THE JUROR: Okay. What I was talking about was
23 no matter whether he wins, lose or draw, the scandal will
24 be attached to his name and to his term. Politicians -- I
25 made a statement about a politician because I think to get

1 to the office, if they have got a smile in one direction
2 to make you believe them, they'll do it. They'll smile
3 another direction, they are going to do it. In other
4 words, they want your vote so, you know, they are going to
5 cater to you a little bit.

6 THE COURT: Okay.

7 THE JUROR: If they want the women's vote,
8 they'll cater to the women. That's what I meant by that.

9 THE COURT: Okay. All right. Thank you. You
10 can have a seat.

11 I'm going to take her out. Generalized a view
12 that's pretty solid.

13 MR. DRY: No objection, Your Honor.

14 MR. ASBILL: No objection.

15 (In Open Court.)

16 THE COURT: *** (Juror Number 0190).

17 (At Bench.)

18 Mr.*** (Juror Number 0190), we just wanted to
19 question you a little closer about something that you put
20 in your questionnaire. This is question number 86. And
21 you put down, "I thought it was wrong if this is true,"
22 and you discussed it with family members and co-workers,
23 right?

24 THE JUROR: (Nodding head.)

25 THE COURT: So just tell us, what did you mean

1 by that?

2 THE JUROR: Say the question again.

3 THE COURT: It's number 86. And you put, "I
4 thought it was wrong if this is true. Talked with family
5 and co-workers about the case."

6 THE JUROR: I think when I filled it out, I was
7 thinking like actually before I was just selected, like
8 before I heard it on the media. So I didn't want to say I
9 was talking to anybody. So I think that's why I put that.
10 But not as in like if I was selected to, I wouldn't talk
11 to anybody about it.

12 THE COURT: Okay. Yeah, yeah. You were
13 explaining that you talked with your co-workers and
14 friends before you got the questionnaire?

15 THE JUROR: Before the questionnaire, yeah.

16 THE COURT: And now I'm trying to explore this
17 other comment, you thought it was wrong if this is true
18 what do you mean by that? If the evidence supports the
19 accusations made, you think it's wrong?

20 THE JUROR: If the evidence -- can I see the
21 question?

22 THE COURT: Huh?

23 THE JUROR: Can I see the question? I'm just
24 trying to -- oh, so what I was saying was that if I
25 thought he would be in the wrong, if the evidence backed

1 up the fact that he did do something wrong. So -- that I
2 thought it was wrong if it was true. So if I determined
3 that the evidence was true, then I thought that what he
4 did was wrong or what she did.

5 THE COURT: Okay. Now, what I need to know from
6 you, sir, is -- and I'm -- you know, as serious as you can
7 be and as honest as you can be, based on what you've
8 heard, based on that previous thoughts in your head, can
9 you be fair to both sides in this case?

10 THE JUROR: Yes.

11 THE COURT: All right. Thank you. You can have
12 a seat.

13 Okay. I think that's it.

14 MR. DRY: Judge, can we have that questionnaire
15 back?

16 THE COURT: Yeah.

17 MR. DRY: Thank you, Judge.

18 THE COURT: Okay. Anybody else?

19 MR. ASBILL: Not on publicity.

20 MR. DRY: Judge, the only additional question
21 that we would like to do generally to the voir dire is
22 apparently we've heard that there have been several focus
23 groups and mock trials. We omitted a question about that
24 on our questionnaire because we were under the impression
25 that nobody was doing any of that. If the Court can

1 merely inquire, have you participated in any mock trials,
2 focus groups, surveys, anything like that related to this
3 case, I think that would be appropriate.

4 MR. ASBILL: The mock trial question is in the
5 questionnaire.

6 MR. DRY: But not the focus group and surveys.

7 MR. ASBILL: Focus group is not, absolutely not.

8 THE COURT: All right. And it's been a while
9 since the question. I'll go ahead and ask that question.
10 All right.

11 (In Open Court.)

12 THE COURT: Is there any member on the jury
13 panel who did not fill out their questionnaires themself?

14 And are the answers that you gave on the
15 questionnaire -- it's been a few weeks -- as far as you
16 know, still correct as you as you placed them on the
17 questionnaire?

18 Yes, ma'am. Just come on up. Everybody who's
19 got something that needs to be changed that was incorrect,
20 I'll hear you now.

21 (At Bench.)

22 THE COURT: Come on up. Yes, ma'am.

23 THE JUROR: *** (Juror Number 0200) again.

24 THE COURT: All right, Ms. *** (Juror Number
25 0200), go ahead.

1 THE JUROR: This Friday my dad is going in for
2 open heart surgery. So now I am basically taking over the
3 primary care of my grandmother, taking her to all of her
4 doctors and doing all of her medicines and stuff. And dad
5 is going to be out for six to eight weeks and he's not
6 allowed to even drive.

7 THE COURT: Okay. Okay. Thank you. We'll get
8 back to you.

9 THE JUROR: Okay. Thank you.

10 THE COURT: Let me see what other hardships we
11 have out there before I make the strike. I figured they'd
12 get on a hardship train here. I always know.

13 Yes, ma'am. Your name again?

14 THE JUROR: *** (Juror Number 0218).

15 THE COURT: Okay. Okay, Ms. *** (Juror Number
16 0218).

17 THE JUROR: Well, since I filled out the
18 application, I found a job after four years and I don't
19 want to put that in jeopardy.

20 THE COURT: Okay. Have you started already?

21 THE JUROR: Yeah, I started on the 14th, and I'm
22 still in training. And it's like part-time so I don't
23 know whether it would be considered -- I know on the
24 questionnaire you said something about permanent employee.
25 So I don't know whether this is permanent.

1 THE COURT: No. This is something we need to
2 know. And you can just have a seat. We're going to get
3 back to you in a minute.

4 I've just -- unfortunately, sometimes in this
5 services I have to weigh hardships, and folks have
6 hardships and some of them are kind of tougher than
7 others, but we're going to get back to you in a minute.

8 THE JUROR: Okay. Thank you.

9 THE JUROR: *** (Juror Number 0363).

10 THE COURT: *** (Juror Number 0363). Okay.

11 THE JUROR: The only thing change. I got
12 married two weeks ago. So I was single. Now I'm married.
13 That's the only thing. And the section -- the section
14 above the husband I didn't fill out. I think it's
15 something on the application about husband. That's all.

16 THE COURT: Okay. Thank you for letting us
17 know.

18 MR. DRY: That's a heck of a honeymoon.

19 THE COURT: Yeah. Well, they can wait.

20 THE JUROR: Your Honor, my name is *** (Juror
21 Number 0173). And I'm a small business owner, and at the
22 time that I filled out the questionnaire, I thought that I
23 could handle this. But I have taken on a considerable
24 amount of business in the last four to six weeks, and I
25 think it would be detrimental to my family if I was picked

1 for the jury.

2 THE COURT: Okay. Why don't you have a seat.
3 We'll get back to you in a minute. And I'll tell you
4 what's happening. These -- this kind of question, people
5 stand up with hardships. Everybody in that line is going
6 to have some kind of hardship, what we're doing now. I'll
7 just kind of balance it as best I can and we'll get to
8 you. We'll get back to you.

9 THE JUROR: Okay. Thank you, sir. Thank you,
10 Your Honor.

11 THE COURT: Yes, ma'am.

12 THE JUROR: I'm *** (Juror Number 0102).

13 THE COURT: All right. Okay.

14 THE JUROR: I forgot to answer the -- in the
15 question about being a state employee, I forgot to mention
16 that I was an adjunct instructor at VCU. I used to be.

17 THE COURT: Okay.

18 THE JUROR: I also didn't think to mention about
19 a cousin of mine that's a real estate agent.

20 THE COURT: A real estate agent. Okay.

21 THE JUROR: And there's one other thing I just
22 realized that I forgot to mention, that I had a cousin who
23 was a police officer who's now deceased.

24 THE COURT: Okay.

25 THE JUROR: Yeah.

1 THE COURT: Thank you.

2 THE JUROR: Thank you.

3 THE COURT: Yes, ma'am.

4 THE JUROR: *** (Juror Number 0501).

5 Unfortunately, the only change on the application
6 questionnaire was I was one of 8 people that I was laid
7 off on my job after 17 years of employment. But I'm on
8 two-month sabbatical right now so I'm free as a bird.

9 THE COURT: Okay, Ms. *** (Juror Number 0501).

10 We certainly hope that door of opportunity opens.

11 THE JUROR: One door closes, another one opens.

12 THE COURT: Absolutely.

13 Okay. Yes, sir.

14 THE JUROR: Back again, Your Honor. *** (Juror
15 Number 0012).

16 THE COURT: Okay.

17 THE JUROR: It's a question I remember on there
18 when it asked you about political parties.

19 THE COURT: Uh-huh.

20 THE JUROR: I wanted to put democratic
21 socialist.

22 THE COURT: Okay. Democratic socialist?

23 THE JUROR: Uh-huh.

24 THE COURT: All right. We'll make that
25 notation.

1 THE JUROR: All right. Thank you.

2 THE COURT: All right.

3 Yes, ma'am, Ms. *** (Juror Number 0382).

4 THE JUROR: I don't know if that's a good thing
5 or a bad thing that you know my name by now. But I don't
6 recall and I didn't think of it until it came up earlier
7 about being a victim of a crime. Two purse thefts. One
8 was 50 years ago for my mom. One was 33 years ago for me.
9 So I don't know how much bearing that has, but full
10 disclosure.

11 THE COURT: Thank you.

12 THE JUROR: Thank you.

13 THE COURT: Okay. Yes, sir.

14 THE JUROR: *** (Juror Number 0203).

15 THE COURT: Okay.

16 THE JUROR: On the questionnaire I said I met
17 and knew William Hazel. But I think it's a different
18 Hazel. The one I met was Hazel Holmes. You mentioned
19 it's a Dr. Hazel.

20 THE COURT: Okay. Different person.

21 THE JUROR: Yeah.

22 THE COURT: Yes, sir.

23 THE JUROR: *** (Juror Number 0333). Your
24 Honor, something is weighing -- something that's weighing
25 heavy on my mind is the later half of August -- I teach

1 middle school and something that's really weighing heavily
2 on me is -- is the kids, that first week of school. The
3 prep time that goes involved with that, I'm worried that
4 I'm not going to be giving my full attention to the trial
5 and be thinking halfway between the trial and what's
6 happening to my classroom when I'm not there.

7 THE COURT: Okay. So is it public school
8 teaching?

9 THE JUROR: Yes, sir. Chesterfield County.

10 THE COURT: And you start the later part of
11 August, mid-August?

12 THE JUROR: Later part of August. There's a
13 workweek, the week before Labor Day, and the kids come
14 September 2nd, the day after Labor Day.

15 THE COURT: Okay. All right. Thank you. You
16 can have a seat. I'll let you know something in a minute.

17 THE JUROR: Thank you, sir. I'm not sure if
18 this question was on the questionnaire or not. It was
19 about the --

20 THE COURT: Give me your name first.

21 THE JUROR: I'm sorry. *** (Juror Number 0367).

22 THE COURT: *** (Juror Number 0367).

23 THE JUROR: Yes.

24 THE COURT: Okay. All right.

25 THE JUROR: I'm not sure if there was a question

1 about a criminal offense or not like you asked today. If
2 there was, I don't know what I put on there. I rushed
3 through that thing. I was -- I filled out the thing late.
4 I was out of town. I got it back and it was after -- when
5 I filled it out, it was going --

6 THE COURT: That's why we go over the questions
7 again. Don't worry about it.

8 THE JUROR: The other thing I just realized, I
9 did have a crime, somebody knocked a window out of my car
10 one time. I just -- I was sitting over there thinking
11 about it and realized that. I didn't stand up at the time
12 because I didn't think about it at the time. Okay?

13 THE COURT: Okay. Thank you.

14 THE JUROR: Hi, my name is *** (Juror Number
15 0338). I believe on my form I put that my fiance is an
16 accountant. She's actually a data entry clerk for an
17 accounting group. I don't know if it makes a difference
18 or not, but I figured I'd get it out here and mention it
19 now. So that's it.

20 THE COURT: Thank you.

21 Okay. I think I have this right. It was ***
22 (Juror Number 0200). See if I remember this.

23 MR. ASBILL: That open heart surgery.

24 THE COURT: 0200, her hardship was elder care.

25 And then we had *** (Juror Number 0218). Hers

1 is employment hardship, financial. Just got a job after
2 four years. Get her number.

3 MR. DRY: 218, Judge.

4 THE COURT: And then we had Mr. *** (Juror
5 Number 0173), who was a self-employed businessman. That
6 would be a hardship on his business, financial hardship.
7 Somebody have his number handy?

8 MR. HARBACH: I can look it up. Number 12,
9 Judge. Correction, Your Honor. There were two Jones who
10 came up. There was *** (Juror Number 0173). It was Mr.
11 *** (Juror Number 0173) who had the small business and was
12 worried about his family.

13 THE COURT: Right. Okay.

14 MR. HARBACH: And he is number 173.

15 THE COURT: And then Mr. *** (Juror Number 0333)
16 is a public school teacher that starts in August. All
17 right. And -- all right. That's one, two, three, and
18 four. I'm going to excuse all of these folks. Okay?
19 Anybody got any problem?

20 MR. DRY: No objection from the United States.

21 MR. ASBILL: No.

22 THE COURT: All right. Anything else we need
23 to --

24 MR. ASBILL: Any strikes for cause for other
25 reasons, is that --

1 THE COURT: Yeah, we can go ahead and let's do
2 that now. Let me send these people.

3 (In Open Court.)

4 THE COURT: *** (Juror Number 0200), you may be
5 excused.

6 THE JUROR: Thank you.

7 THE COURT: *** (Juror Number 0218), you may be
8 excused.

9 Mr. *** (Juror Number 0173), you may be excused.

10 THE JUROR: Thank you.

11 THE COURT: And, Mr. *** (Juror Number 0333),
12 you may be excused.

13 THE JUROR: Thank you, Your Honor.

14 THE COURT: All right. Mr. Asbill?

15 MR. ASBILL: Sixty-seven, 0067.

16 THE COURT: Okay. Come on up.

17 (At Bench.)

18 MR. ASBILL: *** (Juror Number 0067). I think
19 there's a problem with question 68. Trying to accept a
20 legal principle that the indictment is only an accusation.

21 THE COURT: Anything else on her?

22 MR. ASBILL: No, sir.

23 THE COURT: That -- that request for cause,
24 strike for cause will be denied.

25 Next.

1 MR. ASBILL: 0278, question 61, worked on both
2 Creigh Deeds campaigns against Mr. McDonnell.

3 THE COURT: All right. Just a second. Give me
4 his number again.

5 MR. ASBILL: 0278.

6 THE COURT: 0278. That request will be denied
7 as well.

8 Okay.

9 MR. ASBILL: *** (Juror Number 0414).

10 THE COURT: 0414.

11 MR. ASBILL: I'm not sure -- it's question 8.
12 He said he was a primary day-timer to an 86-year old
13 father.

14 THE COURT: 0414?

15 MR. ASBILL: Yes, sir.

16 THE COURT: What's the name on that?

17 MR. ASBILL: *** (Juror Number 0414). I believe
18 he also on question --

19 MR. DRY: I believe that there would be no
20 hardship to his service.

21 MR. ASBILL: Yeah, I think there would be a -- I
22 think on 1 he definitely said okay, and then on 8 said
23 what he reported.

24 THE COURT: Yeah, I wrote that down. We'll just
25 ask him.

1 (In Open Court.)

2 THE COURT: *** (Juror Number 0414), just come
3 on up for a second.

4 (At Bench.)

5 MR. DRY: Judge, do you want it? Questions 1
6 and 8.

7 THE JUROR: Hi.

8 THE COURT: Hi. *** (Juror Number 0414), I just
9 wanted to check with you. You put down that you were
10 caregiver for your 86-year-old father during the day. Is
11 it -- I mean, that would be, of course, being a conflict
12 sitting here. Do you still have that issue?

13 THE JUROR: My brother gets him up and then I
14 get there and I get his food, but, I mean, he's there all
15 day by himself.

16 THE COURT: So you're all right to sit?

17 THE JUROR: Yeah, I'm all right.

18 THE COURT: That's all I need. Thank you.

19 Okay. That one will be denied.

20 Next.

21 MR. ASBILL: 0050. *** (Juror Number 0050).

22 THE COURT: Okay. I got him as a bar manager.

23 MR. ASBILL: I'm not moving that as a strike for
24 cause. He says -- in terms of political persuasions, he
25 says he's an anarcho-communist.

1 THE COURT: Okay. Let me see.

2 MR. DRY: He does say it.

3 THE COURT: Well --

4 MR. ASBILL: We just don't know that.

5 MR. DRY: The government doesn't know if
6 political affiliation can be a cause for strike, although
7 we would not object.

8 THE COURT: I don't know how in the hell I
9 missed it. Whatever it means, I'm not comfortable with
10 it. So let's -- this is 05 -- give me his number again.

11 MR. ASBILL: 0050.

12 THE COURT: Okay. That -- that request will be
13 granted.

14 MR. ASBILL: The next is 0355. I'm not sure
15 it's still a problem. *** (Juror Number 0355) said that
16 she was unemployed with a new contract starting in August.

17 MR. DRY: Judge, I thought we already went
18 through the hardships. I don't understand why we need to
19 bring additional people up. She didn't identify it.

20 THE COURT: No. She's -- she hasn't done
21 anything to indicate to me that that's still a problem.
22 So that request will be denied.

23 Next.

24 MR. ASBILL: Those are all the ones I had right
25 now, Judge.

1 THE COURT: Okay. All right.

2 MR. DRY: Nothing from the United States.

3 THE COURT: Forever hold your peace. Okay.

4 (In Open Court.)

5 THE COURT: Let me have counsel back just for a
6 second. I want to double-check something.

7 (At Bench.)

8 THE COURT: I just want to double-check on the
9 ones that I ruled out for cause. When we were going
10 through, I got *** (Juror Number 0050). There was one
11 more.

12 MR. ASBILL: *** (Juror Number 0050). ***
13 (Juror Number 0154).

14 THE COURT: I got her, right.

15 MR. ASBILL: *** (Juror Number 0452).

16 THE COURT: *** (Juror Number 0452) is out.

17 THE CLERK: So take her out?

18 THE COURT: **** (Juror Number 0154) and ***
19 (Juror Number 0452) are both out.

20 MR. DRY: That's what we have, Your Honor.

21 THE COURT: So we --

22 MR. DRY: And then these were the hardships.

23 *** (Juror Number 0200), *** (Juror Number 0218), ***
24 (Juror Number 173), and *** (Juror Number 0333) is what we
25 have.

1 THE COURT: Yeah, we got -- I got those.

2 MR. DRY: Okay.

3 THE COURT: We're good.

4 All right. We have got a couple of jurors who
5 need to take some child care phone calls, and we are going
6 to have them do that quickly and then we'll get back in
7 and try to finish out this process.

8 (Two jurors exited the courtroom and then
9 reentered.)

10 THE COURT: All right. Madam clerk, would you
11 place 12 jurors in the box, please.

12 THE CLERK: As I call the names of the following
13 jurors, please come forward and have a seat in the jury
14 box. Juror Number 0432, Juror Number 0186.

15 THE COURT: Mr. Marshal, have this guy move
16 because I want one to be on this end. Put him down here
17 and fill in from that end. Just have him move.

18 THE CLERK: Juror Number 0338, Juror Number
19 0386, Juror Number 0101, Juror Number 0281, Juror Number
20 0407, Juror Number 0399, Juror Number 0190, Juror Number
21 0411, Juror Number 0337, Juror Number 0114.

22 THE COURT: Let me explain the process that we
23 are about, since a lot of you haven't served before. The
24 lawyers have certain limited information about you.
25 Obviously, they reviewed the questionnaires that you sent

1 in, they've heard your responses to my questions today,
2 and they have, you know, some very, I would consider,
3 limited information about you. And now armed with that
4 very limited universe of information, they will now decide
5 whether or not they want you to sit as a juror in this
6 particular case. If they do not want you to sit, they
7 have the opportunity to exercise what we refer to as a
8 peremptory challenge. This is a challenge to strike a
9 juror for almost any reason and without explanation to
10 anyone, including me. Obviously, they have a limited
11 number of these strikes or challenges.

12 Now, I'm telling you all this because those of
13 you who are in the box, if you are struck, indeed removed
14 from the panel, don't take it personally. I mean, they
15 don't know enough about you for it to be a personal
16 decision. And then secondly, so that those of you who are
17 seated comfortably in the gallery will understand, it's
18 way too early to be comfortable because you may be up here
19 in a second.

20 THE CLERK: As I call the names of the following
21 jurors, please return to your seat in the courtroom.
22 Juror Number 0281, Juror Number 0411, Juror Number 0101,
23 Juror Number 0338, Juror Number 0190, Juror Number 0114,
24 Juror Number 0407, Juror Number 0186.

25 THE COURT: Okay.

1 THE CLERK: As I call the names of the following
2 jurors, please come forward and have a seat in the jury
3 box. Juror Number 0355, Juror Number 0485, Juror Number
4 0487, Juror Number 0273, Juror Number 0124, Juror Number
5 0346, Juror Number 0373, Juror Number 0414.

6 As I call the names of the following jurors,
7 please return to your seat in the courtroom. Juror Number
8 0273, Juror Number 0373, Juror Number 0124, Juror Number
9 0485, Juror Number 0355, Juror Number 0414.

10 As I call the names of the following jurors,
11 please come forward and have a seat in the jury box.
12 Juror Number 0398, Juror Number 0348, Juror Number 0044,
13 Juror Number 0389, Juror Number 0112, Juror Number 0227.

14 THE COURT: Mr. Marshal, make sure we have
15 everybody back in from the restroom before she calls any
16 names.

17 All right.

18 THE CLERK: As I call the names of the following
19 jurors, please return to your seat in the courtroom.
20 Juror Number 0227, Juror Number 0112, Juror Number 0348.

21 As I call the names of the following jurors,
22 please come forward and have a seat in the jury box.
23 Juror Number 0401, Juror Number 0385, Juror Number 0269.

24 As I call the names of the following jurors,
25 please return to your seat in the courtroom. Juror Number

1 0269 and Juror Number 0385.

2 As I call the names of the following jurors,
3 please come forward and have a seat in the jury box.

4 Juror Number 0379, Juror Number 0115.

5 As I call the names of the following jurors,
6 please return to your seat in the courtroom. Juror Number
7 0115 and Juror Number 0379.

8 As I call the names of the following jurors,
9 please come forward and have a seat in the juror box.
10 Juror Number 0303, Juror Number 0162.

11 As I call the names of the following jurors,
12 please return to your seat in the courtroom. Juror Number
13 0162 and Juror Number 0303.

14 As I call the names of the following jurors,
15 please come forward and have a seat in the jury box.
16 Juror Number 0278 and Juror Number 0324.

17 Will the following juror please return to their
18 seat in the courtroom. Juror Number 0278.

19 Will the following juror please come forward and
20 have a seat in the jury box. Juror Number 0067.

21 This is the jury.

22 THE COURT: All right. We will seat for
23 alternates.

24 THE CLERK: As I call the names of the following
25 jurors, please stand in the courtroom where you are.

1 Juror Number 0445, Juror Number 0003, Juror Number 0248.

2 THE COURT: And the way this works, each side
3 will get one strike. The juror remaining standing is the
4 alternate. Government gets one. Defense gets one.

5 We are going to do it four times. All these
6 puzzled looks.

7 Come on up.

8 (At Bench.)

9 MR. ASBILL: Do we have to exercise a strike,
10 though, on these rounds or can we --

11 THE COURT: No. You have to exercise it. It's
12 got to be one person.

13 MR. ASBILL: Okay. So you have to exercise one.

14 (In Open Court.)

15 THE COURT: There were some jurors who were
16 concerned about parking and had to be back at 6 or -- I
17 think we've worked that out. My jury commissioner
18 indicated she's got it together. So hopefully we are all
19 right.

20 THE CLERK: Will the following juror please come
21 forward and have a seat in the jury box. Juror Number
22 0248. And Juror Number 0445 can have a seat, and Juror
23 Number 0003 can have a seat.

24 As I call the names of the following jurors,
25 please stand in the courtroom. Juror Number 0012, Juror

1 Number 0358, Juror Number 0358, Juror Number 0099.

2 Will the following juror please come forward and
3 have a seat in the juror box. Juror Number 0012.

4 The following jurors can have a seat. Juror
5 Number 0358 and Juror Number 0099.

6 Will the following jurors please stand in the
7 courtroom. Juror Number 0117, Juror Number 0232, Juror
8 Number 0478.

9 Will the following juror please come forward and
10 have a seat in the juror box. Juror Number 0117.

11 And will the following jurors please have a
12 seat. Juror 0232 and Juror Number 0478.

13 Will the following jurors please stand in the
14 courtroom. Juror Number 0340, Juror Number 0390, and
15 Juror Number 0431.

16 As I call the name of the following juror,
17 please come forward and have a seat in the jury box.
18 Juror Number 0431.

19 And will the following jurors please have a
20 seat. Juror Number 0390 and Juror Number 0340.

21 THE COURT: All right. Let me quickly thank
22 those of you who remain unchosen. As I always say, we're
23 not so naive around here that most of you are celebrating
24 the fact that you are not chosen. I understand that. But
25 I want you to know that we could not engage in this

1 process and successfully conclude with the jury without
2 everyone's participation. It's been a long, tiring day
3 and you all have put in the time and effort with good
4 cheer and I want you to know we appreciate it. We
5 obviously realize that we could never do what we do
6 without citizen participation. So we thank you very, very
7 much for this day that you've put in. And pray for the
8 rest of us. We need it.

9 All right. You all may be excused. And, again,
10 thank you so very, very much.

11 (The jury voir dire panel exited the courtroom.)

12 THE COURT: Okay. We just have one more thing
13 to do. I'm going to have you sworn in for your
14 participation in this trial. If you all will stand, raise
15 your right hand and respond to the clerk's oath by saying
16 "I will."

17 THE CLERK: Will the defendants please stand.

18 THE COURT: All right.

19 (The jury was sworn.)

20 THE CLERK: Thank you. Please be seated.

21 THE COURT: All right. Just let me explain to
22 you what normally I would do now is give you preliminary
23 instructions, but obviously, I'm not going to do that at
24 this late hour. So what I will do is release you with
25 this caveat. You obviously are not to discuss this case

1 with anyone or allow anyone to discuss it with you and
2 please, please do not review any media items. Don't read
3 the newspaper or the television or radio or anything about
4 this. This, as you'll find from my instructions tomorrow,
5 that we make every effort to see that this case is decided
6 by the evidence presented here in open court and not
7 anything that you hear or see outside of the courthouse or
8 the courtroom.

9 And I'm releasing you now. I want you to follow
10 the marshal to the jury room so you get a chance to see
11 your home for the next couple weeks, but also the jury
12 commissioner needs just a minute before you all leave to
13 talk to you.

14 So Mr. Marshal, if you would take the jury back
15 this way. And you all be blessed. We will see you
16 tomorrow. Take care of yourself. We will back at 10:00
17 tomorrow. Normally we would start at 9 or 9:30. I got
18 some other things to do. 10:00 tomorrow.

19 THE JUROR: I have a small business that nobody
20 runs but me.

21 THE COURT: Come on around.

22 THE JUROR: I have a small business that nobody
23 runs but me, and if I'm not there --

24 THE COURT: So all you had to do is say that.
25 All right?

1 Counsel, come approach.

2 (At Bench.)

3 THE JUROR: *** (Juror Number 0386.)

4 THE COURT: Okay. And, Ms. *** (Juror Number
5 0386) is coming to us now and she's got a small business
6 and she's upset and it's going to cause her hardship,
7 which, of course, is something that we understand.

8 What I don't understand is why you waited until
9 now.

10 THE JUROR: Because I thought you just said
11 disabilities. I didn't know that that was a, you know,
12 was considered as a disability.

13 THE COURT: Well, all right. It is what it is.
14 *** (Juror Number 0386) is going to be excused, and
15 alternate number 1, *** (Juror Number 0248), will move up
16 and take her place.

17 THE JUROR: Thank you so much.

18 THE COURT: You're excused.

19 THE JUROR: Thank you all.

20 THE COURT: God help us all.

21 MR. DRY: Judge, are we sitting five days a
22 week?

23 THE COURT: No. It's set for all -- August 15th
24 will be a half day, but all other days are full days.

25 I need to see counsel on a peripheral matter

1 just in chambers, but if you all come back.

2 MR. ASBILL: Sure, Your Honor.

3 THE CLERK: So alternate number 1 will be the
4 new juror?

5 THE COURT: It's *** (Juror Number 0248).

6 All right. We will be in adjournment until
7 tomorrow at 10:00 in this case.

8 (Proceedings adjourned at 6:25 p.m.)

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